The Declaration of Clergy on Ritual.

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The Declaration of Clergy on Ritual.

CONFERENCE OF CLERGY AT KEBLE COLLEGE, OXFORD

January 12 and 13, 1904.

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PREFACE

In the course of the preparation of the Declaration of Clergy presented to the Archbishops in July, 1903, the question was asked whether it was intended to form the basis of any permanent association. The answer was an immediate and emphatic negative. But the suggestion was made that it might be advisable to organize a Conference for discussion in connexion with the Declaration. If the number of signatures had been small the purpose of such Conference might have been to give greater definiteness to any expressions in the Declaration which seemed wanting in clearness, or to supplement any that seemed inadequate. But for such purpose representation of the whole body would have been necessary, and no resolution of such section of the supporters of the Declaration as happened to be able or willing to attend a Conference could have been taken as necessarily representing the views of the whole body. Still less authority would attach to

resolutions passed by a comparatively small and specially invited group.

The purpose, therefore, of the Conference was this. Vague as in some quarters the Declaration was stated to be, it was at least clear enough to prevent some clergy from signing it. Now, the Declaration was not intended merely to gather professions of obedience from those whose loyalty no reasonable person could suspect, but to invite co-operation also from those whose attitude had rightly or wrongly been regarded with suspicion. And there were some of them who hesitated to accept it. It seemed, therefore, desirable to discuss the grounds on which they held aloof. Two questions were suggested for discussion: (1) Obedience to the Bishops; (2) The rights of Particular or National Churches. Now presumably the enormous majority of those who signed the Declaration would have been prepared to express their readiness to obey their Bishops without the reservation attached to the profession of obedience in the Declaration. But there are some of the clergy who would not. The main point, therefore, of the one subject was to endeavour to realize what kind of reservation such men would feel it necessary

to make, and the reasons and justification which could be alleged for such reservation. On this point it is noteworthy that though there was a general desire for the restoration of the synodical action of the Church, more than one speaker in express terms repudiated the idea that the Bishops' injunctions depended for their authority upon it. It was rather claimed that they should have behind them clear determination of law by an authority which the Church had actually accepted. On the other point the signatories of the Declaration for the most part would affirm with Dr. Collins and the Dean of Christ Church unhesitatingly that matters of practice do not, by the mere fact that they have at some time been observed ecumenically through the whole Church, acquire such authority that a National Church has no right to dispense with them for its own members. There are many of the clergy who hesitate to affirm this. The intention of the discussion was to discover the grounds of such hesitation and the nature and extent of the limitation which would thus be placed on the freedom of action of particular churches. On this point, at all events, a clear issue was raised. It was maintained on the one hand

that the undivided Church was so informed and guided by the Holy Spirit that whatever custom was universally observed therein must be taken as ordained not by man's authority. It was pointed out on the other hand that the phrase "it seemed good to the Holy Ghost and to us" was used by the Apostolic Council at Jerusalem in a decision on ceremonial matters, which, as a whole, was quite possibly never observed through the whole Church, and certainly is not followed now. It is hoped that the discussion may have real value in throwing light on the attitude of many whose earnestness of purpose even those most opposed to them will acknowledge, and also in clearing the issue for further discussion, and if it please God of fuller agreement on principles which vitally affect the life and work of the Church at the present time.

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CONFERENCE OF CLERGY AT KEBLE COLLEGE, OXFORD, JANUARY 12 AND 13, 1904.

A CONFERENCE of clergy in connexion with the recent Declaration of Clergy on Ritual was opened in the Pusey Library, Keble College, Oxford, on Tuesday, January 12, 1904, and was continued on Wednesday, January 13, under the presidency of the very Rev. T. B. Strong, D.D., Dean of Christ Church.

The first session of the Conference was held at 11 a.m.

After prayer, the Chairman in opening the proceedings said: At the beginning of this Conference, at which I have been asked by the Committee to take the chair, I should like to make one or two remarks, first, we are here mainly as I understand for discussion, rather than for passing resolutions of any sort at all.

Everybody is aware of course that throughout the whole of the nineteenth century, ever since the beginning of the Tractarian movement, questions very intimately connected with the Church have arisen from time to time, and have been the subject of discussion amongst churchmen. I think the first stage of the proceedings, so to speak, touched rather doctrine than anything else, and we have now got to the stage at which we have to approach an extremely important problem, namely the question of the nature and meaning of the social side of the Church considered as a society. And what I hope this Con-

ference may lead to is that we may by discussion, possibly ultimately by passing resolutions, attain to some sort of clear notion of what it is that we mean by being members of the Church of England, and what we mean by calling the Church of England Catholic. That is a question on which of course there are many views, and I think it is a question which has never been so clearly discussed and defined by English churchmen as to avoid a great deal of confusion, and therefore I hope some sort of result of the kind may come from this meeting. But I think I reflect the mind of the people who have called us together when I say I think it would be in the last degree undesirable to pass a resolution that was merely a watery statement without substance or reality. Possibly we should not be greatly congratulated on having devised a form of words which might be long and mean very little; but that is not the aim of our meeting, and therefore, unless we can get some resolution that has a meaning, it will be undesirable to commit ourselves to-day. Secondly, and on the other hand, I think it would be very undesirable that we should come to a sharp division and pass some resolution which would leave a large minority dissatisfied with it. And therefore what I should suggest as the practical course would be that a resolution should not to-day be proposed in this room, but that we should continue our discussion during the day. If as the day goes on it becomes clear that we are reaching more or less one mind, then it would be desirable that persons who are anxious to have a resolution put before the meeting, should send it in writing some time to-day to Dr. Field. Then we could discuss it to-morrow, and pass it or not as the case may be.

The Dean of Christ Church proceeded to read his paper on:

NATIONAL CHURCHES AND CATHOLIC CUSTOM.

THE question raised under this first head is by no means a simple one: it involves a combination of theoretical and practical issues. It calls for a decision as to certain practical matters in the present day, and it implies a theory of the nature and range of Church authority. Let us begin by considering some points as to which there will probably be no dispute, at any rate on the present occasion.

We may, I think, safely assume that the Church was entrusted with two gifts by the Divine Founder—with truth and with means of grace. In these two respects it carries on Christ's own work: grace and truth, St. John tells us, came by Jesus Christ. Now the function of the Church in regard to truth is, I think, a limited one: its relation to truth is that of a witness. In other words, it has no commission to originate discovery; it is not charged, as such, with the duty of extending man's knowledge of the physical world, or of

history, or of any other branch of knowledge—because, from the point of view of the Gospel-scheme, these things are irrelevant. In Holy Scripture man is conceived as a being capable of certain relations with God, and the function of religion is to realize in him this capacity: he is a being to be saved. And it is essential to the universality of this scheme that he should be capable of religious relations to God, independently of his intellectual attainments or worldly position or race. Hence all these matters which belong to the region of knowledge are, however interesting, irrelevant to the main purpose of the Church: it has no necessary hostility to them, but it also has no necessary connexion with them. Its relation to truth is of a different sort: it stands as a witness.

This fact carries consequences in the region of truth which is covered by the Church's commission. The witness of the Church is conveyed not only in the form of statement but in the form of practice; and, indeed, these two sides of its activity are inseparable. The relation between man and God, which it is of the essence of the Church's commission to produce, is realized in actual life: and the truth which it proclaims is closely related to

the life. In other words, its dogmas are intended not merely to be assertions in regard to divine things; they are also practical principles which have definite value in life. It may be questioned whether there is any doctrine asserted in the creed which does not correspond to some practical necessity.

In this region the Church has *authority* to define and to exclude. It may define the meaning of the truth which it is commissioned to proclaim; it may exclude doctrines which, however persuasive in themselves, undermine the practical consequences of the Incarnation. This has been the motive which has led to the definitions in the Creeds—they exclude false teachings on certain definite points; they do not pretend to be a declaration of all the truth there is; they declare what is necessary to salvation—what is necessary to place the individual in the position which, according to the Church, Christ came to secure for him.

Thus we find a certain clearly-defined region in which the Church necessarily has authority as the witness to the truth. What is its position in regard to the means of Grace? This question involves two problems, connected with the Sacraments and with Holy Orders. Here, again, it would seem that there are

certain definite points which lie within the authority of the Church. (1) It is imperative that the people should know when they have to deal with accredited officials of the whole Body. In ordinary secular business it is a matter of exact and precise arrangement to secure that representatives should carry with them the will and authority of those whom they represent. It is no less important for the Church. (2) The means of Grace are chiefly the two Sacraments ordained by Christ. They have their main characteristics determined by the ordinance of Christ: all else is matter of detail and subsequent determination. What is necessary is that all men should be sure that those who administer the Sacraments are duly accredited, and that the commands of Christ in regard to them are duly carried out. These are fundamental considerations. On these points the Church must have a decisively authoritative voice.

But all these matters involve outward regulations: rules for Ordination, rules for the administration of the Sacraments, for the service which is to be attached to the administration, and the like, which all depend, not on the command of Christ, but on the plain practical fact that the Church is a

society which acts overtly in the world, and must therefore have certain rules of action. It seems to me that in this direction there is room for a very unfortunate confusion of ideas. When the question of the Creeds was discussed in the fourth and fifth centuries certain statements were forbidden, and certain other statements were accepted as expressing the mind of the Church. The effect of this action was that a certain body of doctrine was affirmed to be Catholic and in accordance with Scripture, while certain other (very persuasive) views were set aside. In doing this, the Councils of that age have been justified by the acceptance, gradual and hesitating, of the whole Society at the time, and of all succeeding ages of the Church since. The opposing views are current still, and of course have plausible arguments by which to maintain themselves: but the judgement of the Church—Greek, Roman, English, and to a large extent Nonconformist—upholds the decisions given in the days of the Councils. In other words, the decision at a time when the questions were raised in an urgent form, on fundamental issues connected with the Church's witness, has been ratified overwhelmingly ever since. Terms were used then which are not obviously significant in

the present day, and which certainly do not convey all the associations they had at the time. But there are very few terms, even in the *Quicunque*, which do not readily admit of interpretation such as will show their importance and necessity. The experience of the Church has confirmed rather than shaken the authority of the definitions of its faith.

When we pass from the region of doctrine to that of practice and ritual we find things somewhat different. The Church has adhered from very early times to fixed forms for Ordination and for the administration of the Sacraments; and there has been, of necessity, a certain similarity in the main outlines of these forms. But there has been no definition of the absolutely essential order imposed on the whole Church. In different centres order and uniformity of a certain kind have been introduced, and, I suppose, the Roman Church claims in effect the right to determine what is valid and invalid for all Christian people. This, however, is a claim which the Easterns do not recognize any more than we do.

In the administration of the Sacraments a certain formality must obtain in order to give assurance to the congregation that the act is duly and properly performed. The authority

of the Church is thus given to certain forms or offices, and a definition of validity is made. But beyond the Sacramental acts themselves, and lying around them, there is a large region of possible variation in practice. Under this head would fall such things as vestments, holy seasons, methods and occasions of fasting, details of discipline and the like. All these may be the subject of what Bp. Butler called positive as opposed to moral enactment: and the claim to obey regulations in regard to them will depend on the general principle that order is better than disorder, and that in things indifferent it is the business of the administrative authority to determine what is right and what is wrong. It is possible, I think, to grant a very high degree of authority to rules on these subjects. Members of the Church may be fairly expected to act together, and there is room for much confusion if every one does what is right in his own eyes. But it is impossible for any more than a secondary and indirect authority to invest such subjects: to use the word Catholic in connexion with any one of them is, I think, entirely misleading. In the first place, it cannot possibly be maintained that any such things are in themselves essential.

It would have been open to the Church to determine that no ecclesiastical vestments should be worn, or that people should not communicate fasting, and no principle of any kind would have been affected. The arrangement which has come about, and is now prescribed by the Roman Church and in less degree by our own, is the result of the stereotyping of customs which came into existence in particular conditions of time, place and religious feeling, and can never claim universal validity. Regulations on points of this sort are essentially matters relative to the conditions in which they arose, and would naturally vary with the variation of the conditions. "Non firmatur tractu temporis quod de iure ab initio non subsistit." *Sext. Decr. De Reg. Iuris*, xviii. It would be a misuse of authority to endeavour to invest with quasi-catholic obligation rules so essentially temporary or provisional in character.

It is probable that this general way of putting things will not be seriously questioned. But it will be said that the real difficulty begins at a later stage. Granted that rules on all such subjects are of accidental and subsidiary validity, yet who is to be the person to authorize variations? This is, no

doubt, the *crux* of the whole question. I do not think an absolutely clear and comprehensive answer can be given, but various indications may be made of the lines of the most probable solution. It would seem to me that no authority can possibly claim to deal with details of this sort, except the local authority, i.e. the authority which may be presumed to be cognizant of the local conditions. But beyond this it would seem to me to be true that circumstances will vary very widely even within this range, and that differences will appear in the practical result. I can explain my meaning best by instances. The public worship of the Church will necessarily be fixed in its outlines by the authority of the place. It may be desirable—it certainly is desirable—that the chief seasons of the year should be simultaneously celebrated throughout the Christian world—so far as that is physically possible. In these matters, therefore, there will be the minimum of variation allowable, or the variation there may be should be determined carefully and with authority. For these things affect, in a measure, the whole Christian world. But let us now consider a question such as that of fasting before Communion. There is, I

think, no doubt that this has been a practice universally followed till the Reformation. It may well be the general rule still, in ordinary circumstances. But suppose that *A* or *B* finds the practice spiritually disadvantageous—that he cannot attend the Eucharist and communicate with any fullness of intelligence under these conditions: what is he to do? There are three ways of dealing with the situation. (1) It is maintained by some that the Church's rule is paramount, and that a man must neglect Christ's command if he cannot satisfy the conditions of Catholic custom. (2) Such a man may apply to the bishop for dispensation. (3) He may act on his own initiative. Of these, the first appears to me quite ridiculous: it is the *reductio ad absurdum* of all Church order. The choice between (2) and (3) seems to me to depend on the position—moral, intellectual and religious—of the individual. In a missionary diocese, consisting mainly of converts from heathenism, it is probably better that such questions should be settled by the authority of the diocese. Where the individual is a responsible and thoughtful person, I do not hesitate to say that he ought to settle these matters for himself. Bishops have quite

enough to do without having to spend time in granting dispensations of this sort.

I have endeavoured to answer the question put before me indirectly, since there is not time for discussion of it on fundamental grounds. I think that the commission of the Church makes its authority absolute in matters of the truth entrusted to it, and in regard to the life which corresponds with the truth. Thus it would seem to me to have absolute right to determine the marriage-laws under which Christian men should live. It would seem to me to have absolute rights, for utility's sake and for security, in defining the mode of the administration of the Sacraments. In regard to the wide area of custom which lies outside the Creeds and Sacraments, it seems to me that local churches should be as free as possible. Customs may be embodied in enactments, and these will be venerable in every possible degree from almost zero up to a point not very far from the decisions as to Creed and Sacraments. But all these are essentially questions arising in particular circumstances of time, place and character, and should not be considered apart from their circumstances. A very wide consensus as to a particular practice at a particular time in

a given region—even if that region included the whole of Italy, Gaul and Greece—would not dispense a church—say in America or India—from the duty of considering the practice *de novo*, in relation to its new conditions.

All authority seems to me to be deducible from the Church's character as a society entrusted with a certain commission; and its authority should be definitely exercised with clear recognition of its limits, and of the nature of the subjects to which it is applied. Positive precepts are necessarily devised in relation to particular conditions of time, place and character; and I cannot see anything in the nature of the Church to override the natural right of local churches to deal with matters of positive precept in their own way.

I will add one word on the reasons which seem to me to account for the prevalence of a view very different to the one expressed above. I venture to ascribe this prevalence to the influence of a false ideal of church unity which we inherit from Rome. Church unity with the Romans means communion with the Pope, and is embodied in a vast administrative system which flows from the chair of St. Peter. On this theory local

churches are subordinate, in no sense are they independent. The Eastern conception of unity seems to me to be both truer and more scriptural: it is that of a federation of units largely independent of one another. The English Church has done well, as I think, in reasserting the right of local churches to select and to define their own customs, and in so doing has implicitly rejected the view that "Catholic custom" cannot be altered without a general council. If this is an error, the English Church errs in good company—in company with those churches which have never held this view, and have therefore never formally rejected it.

In the absence of Dr. Collins, his paper on "The rights of a particular Church in matters of practice," was read by the Warden of Radley. He explained that the paper was not exactly that of which notice had been given, and that it had been read before the Church Historical Society. It touched, however, so nearly the subject proposed, and such anxiety had been expressed to have the paper before the Conference that it had been considered desirable to take advantage of Dr. Collins's permission, and have the paper read.

THE
RIGHTS OF A PARTICULAR CHURCH IN MATTERS OF PRACTICE.

THE object which I have set myself in this paper is a very simple one. It is, in a word, to inquire into the powers of a local, particular, or national church in the matter of ordaining or otherwise forming for itself new customs or rites, and abolishing those which have previously existed. It is of course acknowledged on all hands that such a particular or national church has certain rights in such matters. Customs good or bad are being formed or modified day by day by a kind of unconscious growth or decline; and again, from time to time such customs or practices are inaugurated by an express legislative act of the body; and nobody would say that either of these is in itself *ultra vires*. But there are a great many persons who hold that modifications of this kind can only take place within very narrow limits: that the possibilities of the future are very closely

restricted by the history of the past, and that the liberty of the single church only extends within a certain area prescribed by the practice of the bodies which, together with it, make up the unity of the Church Catholic. It is this question which I propose to discuss.

To begin with, it will be well to clear the ground by saying something in the way of definition.

1. First, I am here concerned not with formularies of faith, still less with the faith itself, but with practice. It is no doubt true that practices have their importance, in the minds of those who hold them important, as expressions of doctrine, but that is not the point. In itself, the existence of a particular practice does not necessarily imply the holding of a particular doctrine; and most certainly the cessation of such a practice does not necessarily imply the giving up of any such doctrine. The two things can be kept quite distinct: for our purpose they must be. The old lady who said with regard to her new parish priest "He wears something at the back of his neck that looks like a shirt button, but they tell me that it's really the thin end of the wedge," was guilty of a confusion of

thought. In her case it was natural enough; but it is not creditable in us if we cannot discuss questions of practice without falling into the same confusion.

2. Secondly, Let me add a word of definition with regard to what I have spoken of as a local, particular, or national church. What do we mean by this? We are sometimes told that what is commonly spoken of as the Church of England is in reality no more than two provinces of the Catholic Church. Now as a matter of fact this is formally inaccurate: the Catholic Church consists not of provinces but of dioceses; that is, of bishops with the clergy and people subject to them. A province is not a division of a larger body, viz. the Catholic Church, but an aggregation of smaller bodies, viz. dioceses; and the statement to which I have referred above ought to run that the English Church[1] consists of such and such a number of dioceses (the number varies from time to time) within the unity of the Catholic Church. But even so, it is only part of the truth. The English Church does indeed consist of so many dioceses within the unity of the Church Catholic, and in conse-

[1] As distinct, that is, from its daughter churches and the churches in communion with it.

quence it partakes of that life which is common to the whole Catholic Church. But it is not merely so many dioceses of the Catholic Church; it is this and something more. It is a local, particular, or national church, by which I mean that it is bound together by a common life peculiar to itself. In the case of the English Church this common life involves not only its relation to all the dioceses of Christendom; not only the relation of the dioceses of a particular province to one another, and of the bishops to their Metropolitan; but the relation of all the dioceses and all the bishops to one another as sharers of a common history and a common life, connected by links which concern them alone, or concern them in a way that they concern none of the other bishops or dioceses of Christendom. They are linked together by voluntary submission to limitations at the hands of the whole body; by the common acceptance of certain formularies and canons; by the fact of a relation to the State, which is the result not of a concordat, but of a historic growth peculiar to them. The relation which subsists between these bishops and dioceses, in a word, is no merely numerical relation but a historical relation; no merely

logical relation but one which is the outcome of life. The English Church does indeed consist of a certain number of dioceses of the Catholic Church, and these dioceses do indeed make up two provinces; but it is something more than a mere *congeries* of dioceses, or two ecclesiastical provinces: it is a real living entity. It has a real life and character of its own, which has left its record in every page of its history. The man who is unable to discern and recognize this may understand many things: he may be able to study logic; he may be able to understand mechanics; in a perfunctory and wooden sort of way he may even be able to study law; but at least let him keep his profane hands off the study of history, and Church history above all, for he has shown himself incapable of understanding what it means.

With so much by way of preface I pass on to my subject, the limitations within which changes of custom may be made in the Church. As to the possibility of making them, and the duty of making them when it shall be found desirable, the English Church has spoken her mind with no uncertain sound. The Thirty-fourth Article of Religion declares that

"Every particular or national Church hath authority to ordain, change, and abolish, ceremonies or rites of the Church ordained only by man's authority, so that all things be done to edifying."

The Prayer Book itself makes a similar claim. It is true that the printers endeavour to dissuade us from reading the part to which I refer, by the use of the smallest type at their disposal; but as one has said, "sometimes a tedious anthem or an inaudible sermon sends us in despair on a voyage of discovery in the unexplored regions of the Prayer Book[1]"; and so, it may be, many of us made our first acquaintance with the beautiful preface *Of Ceremonies, why some be abolished, and some retained.* It may not be superfluous to remind ourselves yet once again of what this preface says:

"Of such Ceremonies as be used in the Church, and have had their beginning by the institution of man, some at first were of godly intent and purpose devised, and yet at length turned to vanity and superstition: some entered into the Church by undiscreet devotion, and such a zeal as was without knowledge; and for because they were winked at

[1] Mr W. O. Burrows in *Church Problems*, ed. by H. H. Henson, London, 1900, p. 182.

in the beginning, they grew daily to more and more abuses, which not only for their unprofitableness, but also because they have much blinded the people, and obscured the glory of God, are worthy to be cut away and clean rejected; other there be, which although they have been devised by man, yet it is thought good to reserve them still, as well for a decent order in the Church, (for the which they were first devised,) as because they pertain to edification, whereunto things done in the Church (as the Apostle teacheth) ought to be referred. . . .

"And whereas in this our time, the minds of men are so diverse, that some think it a great matter of conscience to depart from a piece of the least of their Ceremonies, they be so addicted to their old customs; and again, on the other side, some be so new-fangled, that they would innovate all things, and so despise the old, that nothing can like them, but that is new: it was thought expedient, not so much to have respect how to please and satisfy either of these parties, as how to please God and profit them both. And yet lest any man should be offended, whom good reason might satisfy, here be certain causes rendered, why some of the accustomed Ceremonies be put away, and some retained and kept still."

And here the preface proceeds to give the reasons why some ceremonies were abolished and some retained. Be it observed, however,

that these reasons are all based on expediency: the intolerable bondage resulting from them, the superfluity of them, the obscurity to which they gave rise, and the like. There is not a word to suggest that the English Church lacks power to remove them if it be deemed expedient, provided that they are such as "have had their beginning by the institution of man." This is the only limitation of which the writers of the preface seem to be conscious.

Nor are things otherwise when we turn to the great theologian who best represents the mind of the English Church in the period immediately succeeding that in which this preface was composed. There is a tendency in our day amongst unthinking people to speak disparagingly of Richard Hooker: partly because, writing in the reigns of Elizabeth and James I, he does not happen to speak the language of the reigns of Victoria and Edward VII; partly because we have come to see that his writings cannot be taken as being in all respects an adequate representation of the whole of the Catholic Faith. But when allowance has been made for these, after all, fairly self-evident facts, it still remains true that we have no greater teacher than Hooker; and we may venture to say

without hesitation that the whole of Christendom cannot show many names which can be ranked with his, in the region of Ecclesiastical Polity which he has made his own. What then has he to say on the subject with which we are concerned?

He deals with it in the earlier part of his great Fifth Book. Having in the former books dealt with the principles of his opponents, he now proceeds to lay down certain propositions, or postulates [1] as we might say, which underlie all his subsequent argument. The third of these is that

"All things cannot be of ancient continuance, which are expedient and needful for the ordering of spiritual affairs: but the Church, being a body which dieth not, hath always power, as occasion requireth, no less to ordain that which never was, than to ratify what hath been before [2]."

He does not indeed in any way under-estimate the value of ancient custom. On the

[1] "It is with teachers of the mathematical sciences usual, for us in this present question necessary, to lay down first certain reasonable demands, which in most particulars following are to serve as principles whereby to work, and therefore must be beforehand considered." (*Ecclesiastical Polity*, book V. chap. v. 1.)

[2] Ib. V. viii. 1.

contrary, his second proposition is to the effect that we may not

"Lightly esteem what hath been allowed as fit in the judgment of antiquity, and by the long-continued practice of the whole Church; from which unnecessarily to swerve, experience hath never as yet found it safe[1]";

and he further declares that "we should be slow and unwilling to change, without very urgent necessity, the ancient ordinances, rites, and long-approved customs of our venerable predecessors[2]." Nevertheless, he lays it down quite definitely that "the Church hath authority to establish that for an order at one time, which at another it may abolish, and in both do well[3]." Moreover, and this too is noteworthy, he attributes the denial of such a power to the Church of his own day, not to a catholic temper but to its very opposite:

"Our dislike of them by whom too much heretofore hath been attributed to the Church, is grown to such an error on the contrary hand, so that now from the Church of God too much is derogated[4]."

[1] *Ecclesiastical Polity*, book V. vii. 1.
[2] Ib. V. vii. 3.
[3] Ib. V. viii. 2.
[4] Ib. V. viii. 4.

In other words, it is the mark of the puritan, not of the true churchman, to deny the power of the Church to make laws for its own members; and I venture to think that Richard Hooker would have taken up the same position towards the neo-puritans of our own day who, out of an unreal or exaggerated reverence for universality, deny to the English Church of to-day the right to abolish old customs or to ordain new ones. For, be it observed, Hooker is not claiming vague and unreal powers for an imaginary combination of all the churches of Catholic Christendom in his own day: he is claiming for the English Church the power, so far as its own members are concerned, to make new ordinances or to abolish those which formerly obtained in the English Church. They might or might not have prevailed in other churches too; that did not touch the question, for the English Church only abolished them so far as its own members were concerned, and if they formerly prevailed elsewhere, they prevail there still, so far as we are concerned. This is the whole point of his argument, viz. that the authority of the Church, of which he is speaking, belongs to the English Church, so far as its own members are concerned; and that it can act,

so far as its own members are concerned, with that great authority.

It would be at once tedious and unnecessary to show in detail, as it might easily be shown, that this is the doctrine not merely of commentators on the Articles, as Burnet and Beveridge[1], Forbes and Harold Browne, but of all the great theologians of the English Church: of Andrewes and Barrow, of Bramhall and Bull, and of the great moderns as well. It is even true of Thorndike, the greatest stickler of them all for the rights of the Church Universal[2]. All alike hold that the English Church, as a true Church of Christ, has and must have the power not only to ordain but to abolish rites and customs of the Church; and not only such as are peculiar to the English Church but others also, provided that they are of human institution. That this is so is too clear to be doubted. But the question which we still have to ask ourselves is, Can we justify this claim? are there any customs or rites of human institution (other, that is, than those which have been ordained by Christ Himself) which the English Church has no power to alter, owing to the fact that

[1] For Beveridge see the Appendix, p. 48.

[2] See his *Works*, Oxford, 1846, vol. ii. pp. 473–475.

they have hitherto prevailed universally? Is there, in other words, such a thing as a Catholic custom of human institution, which a particular church cannot lay aside, and which can only be abrogated by the consent of the whole Church?

The question before us is not, be it observed, whether it is generally expedient to change old established customs or not; or whether in any particular case it would be expedient. All English churchmen would probably hold with Hooker that traditions "established with that authority which Christ hath left to His Church for matters indifferent" "are not rudely and in gross to be shaken off, because the inventors of them were men[1]." And it may be at once admitted that there are some changes which would be so serious in their character that they might be a strong reason for believing that the Church which made them was departing from Catholic principles. That however is not the point. Again, the question before us is not whether it was really wise or necessary to abolish all the rites and customs which were actually abolished in the sixteenth and seventeenth centuries. It is merely whether, supposing certain changes

[1] Hooker, *Ecclesiastical Polity*, V. lxv. 2.

were otherwise desirable, it was possible, in accordance with Catholic principles, to make them. To this question we now address ourselves.

I.

In the first place, it must be borne in mind that the prevalence of local customs is the rule, not the exception. That is to say, differences of custom, wherever they exist, are not the outcome of a deflection from some set standard previously existing, but the natural expression of the religious and social life of the peoples amongst whom they are found. The formation of particular customs is the inevitable result of the existence of a common life among men; and such customs must of necessity exist wherever there is such a common life at all. This was fully recognized by the older canonists. If we are to believe Gratian, local custom began to exist when Cain built cities, and although it inevitably ceased when mankind was swept away by the Flood, it revived with the revival of social life, and was for the first time stereotyped by

Nimrod the oppressor of men[1]. However this may be, it is certain that the Church came into a world where local custom already had its place, and adapted itself to human conditions after the example of the Lord Himself. Starting with a fundamental character and certain fundamental principles, its rites and customs have taken their shape from things such as these, by a kind of self-adaptation of the Church to the circumstances in which it found itself. Every student of Church history, for example, is aware of the fact that there existed, in the very earliest days, differences of practice even with regard to such a matter as the keeping of Easter.

The existence of local customs, then, is the rule, not the exception ; and their widespread prevalence is a fact so familiar that it calls for no proof. Moreover these local customs have always found favour in the eyes of the Church at large. They have always been regarded as the natural and proper outcome or expression of those differences of racial character, of national history, of changing circumstances, which are to be found everywhere. Our wise father, Gregory

[1] Dictum Gratiani ad can. *Non est peccatum* dist. 6 (*Corpus Iuris Canonici*, ed. Richter, Leipzig, 1839, vol. i. col. 10).

the Great, seems to have regarded it as a matter of obvious fitness that the English Church, like other churches, should have its own customs; and as we know, he directed Augustine to choose whatever seemed most fitting in the custom of any church, and thus to form a body of customs for the Church of the English[1]. It has at all times been recognized that the unity of the Catholic faith is not broken but established in the multiplicity of customs in the same faith; as the same great pope wrote to Bishop Leander of Hispalis (Seville), "Where there is one faith, a diversity of practice does no harm to holy Church[2]." The rule of Nicaea, "Let the ancient customs prevail," has been re-stated in one form or another again and again, down to the time of the Council of Florence, A. D. 1439, which enacted that "Every one ought to observe the rites of his own church"; and although since then the dominant tendency has been strongly in the direction of uniformity, there has never been any attempt to

[1] Baeda, *Hist. Eccl.* lib. i. cap. 27. The authenticity of this letter is now universally acknowledged.

[2] S. Greg. Magn. *Epist.* i. 43, ed. Bened. (ed. Mon. Germ. Hist. i. 41): "In una fide nil officit sanctae ecclesiae consuetudo diversa."

make out that local customs are in themselves undesirable. As a matter of fact, in so far as they are the natural outcome of differentiated life, they are obviously natural and inevitable, as St Anselm said in answer to the question of the abbat Waleran. His words are so much to the point that they are worth quoting in full:

"Your reverence asks concerning the sacraments of the Church, why they are not celebrated everywhere in one way, but are carried out differently in different places. If indeed they were celebrated everywhere, throughout the whole Church, in one way by common consent, it would be good and praiseworthy. But nevertheless, seeing that there are many diversities which have nothing to do with the substance of the sacrament or its virtue, or with the faith, neither is it possible that all should be agreed in one custom, I think that they ought to be tolerated in peace amicably, rather than to be condemned discordantly and with scandal. For we have it from the holy Fathers that if in the Catholic faith the unity of charity is preserved, difference of custom does no harm. But if it be asked whence are born these differences of custom, from nothing else, I apprehend, than the diversities of human understandings. For those who agree never so much in the truth and virtue of the matter, nevertheless do not agree as to the fitness and

the decency of the outward order. For what one judges to be more fitting another often thinks to be less so; nor do I think that not to be in agreement in matters of this kind implies any departure from the truth of the matter itself[1]."

The Church then is not the poorer for differences of custom, but rather the reverse. As old mystical writers used to say, following St Augustine[2], the Church is only the more richly adorned because her vesture of gold is "wrought about with divers colours."

The fact of this widespread divergence of local custom is, as I have said, a very familiar one; but it is perhaps worth while quoting the evidence on the subject of three distinguished witnesses in order to show how they regarded it. There is, in the first place, the well-known advice given by St Augustine to Casulanus on the subject of the observance of local customs:

"I will tell you the answer given to my questions on this subject by the venerable Ambrose, bishop of Milan, by whom I was

[1] S. Anselm. *ad Waleranni querulas responsio*, c. 1 (Migne, *Patr. Lat.* tom. clviii. col. 552).

[2] S. Aug. *Ep.* xxxvi. ad Casulan. § 32. Compare G. Phillips, *Kirchenrecht*, iii. 416.

baptized. When my mother was with me in that city, I, as being only a catechumen, felt no concern about these questions; but it was to her a question causing anxiety whether she ought, after the custom of our town, to fast on the Saturday, or after the custom of the Church of Milan, not to fast. To deliver her from perplexity I put the question to the man of God whom I have just named. He answered, 'What else can I recommend to others but what I do myself?' When I thought that by this he intended simply to prescribe to us that we should take food on Saturdays (for I knew this to be his own practice), he, following me, added these words: 'When I am here I do not fast on Saturday; but when I am at Rome I do: whatever Church you may come to, conform to its custom, if you would avoid either giving or receiving offence.' This reply I reported to my mother, and it satisfied her, so that she scrupled not to conform to it; and I myself have followed the same rule [1]."

Or consider the following statement of the Church historian Sozomen, with regard to the great variety of customs existing in different places:—

"[The fathers] faithfully and rightly concluded that those who agreed in the essentials

[1] S. Aug. *Ep.* xxxvi. ad Casulan. § 32: cf. *Epp.* liv, lv. ad Ianuar.

of worship ought not to separate from one another on account of diverse custom. For similar differences of custom prevail in many churches where the same doctrines are received. There are, for instance, many cities in Scythia, and yet they have but one bishop between them; whereas in other nations a bishop is appointed even over a village, as I have myself observed even in Arabia and Cyprus and among the Novatians and Montanists of Phrygia. Again, there are even now but seven deacons at Rome, corresponding precisely to the number ordained by the Apostles, of whom was Stephen the first martyr; whereas in other churches the number of deacons is not fixed. In Rome, Alleluia is sung but once annually, namely, on the first day of the Feast of Easter, so that it is a common thing amongst the Romans to swear by the fact of hearing or singing this hymn. In that city, too, the people are not taught by the bishop, nor by any one in the Church. At Alexandria the bishop alone teaches the people, and it is said that this custom has prevailed there ever since the days of Arius; who, being but a presbyter, broached a new doctrine. Another strange custom prevails at Alexandria, which I have never seen or heard of elsewhere; and that is that when the Gospel is read the bishop does not rise from his seat. In the same city the archdeacon alone reads the Gospel; whereas in some places it is read by the deacons; and in

many churches only by the presbyters, while on great days it is read by the bishops; as, for example, at Constantinople on the first day of the Festival of the Resurrection. In some churches the season called Quadragesima, which occurs before this festival, and is devoted by the people to fasting, is made to last six weeks; and this is the case in Illyria and the West, in Libya, in the whole of Egypt, and in Palestine; whereas in Constantinople, and in the neighbouring provinces as far as Phoenicia, it is made to comprise seven weeks. In some churches, again, the people fast three alternate weeks, during the space of six or seven weeks, whereas in others they fast continuously during the three weeks immediately preceding the festival. Some people, again, like the Montanists, fast only two weeks. Assemblies for worship are not held in all churches at the same time or in the same manner. The people of Constantinople, and almost everywhere else, assemble together on the Sabbath as well as on the first day of the week; which custom is never observed at Rome or at Alexandria. There are several cities and villages in Egypt where, contrary to the usages established elsewhere, the people meet together on the night of the Sabbath, and though they have previously taken food, partake of the Mysteries. The same prayers and psalms are not recited, or the same passages read on the same occasions in all churches. Thus the book entitled *The Apoca-*

lypse of Peter, which was considered altogether spurious by the ancients, is still read in some of the churches of Palestine on the Day of the Preparation, when the people observe a fast in memory of the Passion of the Saviour. So the work entitled *The Apocalypse of the Apostle Paul*, though unrecognized by the ancients, is still esteemed by most of the monks. . . . What I have said on this subject must now suffice. Many other customs are to be observed to this day in cities and villages, and those who have been brought up to observe them would consider it wrong to abolish them, out of respect to the great men who instituted and perpetuated them [1]."

Or once more, to take a name from a much later period, let us see what the abbat Peter the Venerable of Cluny has to say on the subject. In a famous letter to his friend St Bernard he writes as follows:

"If a mere difference of custom, if manifold variety in an infinite number of things is to rob the servants of Christ of love towards one another, what peace or concord or charity can be left, not only to monks but to any Christians? . . . If, I say, the law of Christ, which is love, is to be abandoned by all who follow different uses, it will simply disappear altogether. . . . Has not, dearly beloved, the

[1] Sozomen, *H. E.* vii. 19.

whole earth long been filled with the churches of Christ? And as the churches which serve God in the same faith and love are almost numberless, almost as great a variety of uses is to be found amongst them as there are churches. You will find this [diversity] in the canticles, in the lessons, in all the offices, in the different vestments; you will find it, too, in the different fasts which are observed in addition to the authorized ones, which are fixed; you will find it in all those things which, according to the differences of times, places, nations and countries, have been instituted by the rulers of the Church. . . . Have all these churches abandoned charity because they differ in their uses? Is the great gift of peace to be lost by all because each one works what is good in a way different from the rest? Not so thought Ambrose, &c.[1]."

And so he goes on to quote the words of St Ambrose that I have given above.

II.

Local custom, then, is a thing which exists and grows up in the Church automatically,

[1] See the letter of Peter the Venerable to St Bernard (S. Bern. *Ep.* ccxxix).

as we might say. This being so, it follows that customs tend constantly to increase in number. They grow of their own accord; but they do not easily die away: on the contrary, whilst every fresh religious impulse tends to give rise to some new religious custom, it also tends to revive and give strength to such as already exist. In other words, it is the tendency of customs to grow far more quickly than they decay, so that there is always a probability that they will increase rather than diminish. And it is a fact of experience that this actually happens: customs and rites do actually tend to increase in complexity, and to such an extent that they often become a heavy burden. Already in St Augustine's time this was the case, and he declares that

"the Christian religion, which God in his mercy made free, appointing to her sacraments very few in number and very easily observed, is by these burdensome ceremonies [i.e. those which have grown up without proper authorization] so oppressed, that the condition of the Jewish Church itself is preferable; for although they dwelt in bondage, yet they were subjected to burdens imposed by the law of God, not by the vain conceits of men. The Church of Christ, however, suffers many

things, being so constituted that at the present it encloses much chaff and many tares [1]."

Certainly there was no improvement in this respect later on; and John Gerson, one of the greatest of the theologians of the fifteenth century, inveighs against it in earnest terms. In one passage he records the story of Urban V, who "gloried in that he had been made pope for this cause above all, that he would no longer be liable to the penalties of excommunication and irregularity. And if he had loved his neighbour as himself, and had felt thus," adds Gerson, "he would doubtless have abolished so many snares, so many burdens, so many dangers [2]." Elsewhere he points out how the commandments of God are made of none effect through the traditions of men:

"And thus there is made, of the light yoke of Christ and the law of liberty, an iron yoke and a heavy burden, pressing upon the necks of Christians; namely, while they think that all their own laws, their own institutions and rules and statutes, are to be received as precepts of the Law of God, to be obeyed under pain of eternal death. The full list of these traditions of

[1] S. Aug. *Ep.* lv. ad Ianuar. § 35.

[2] J. Gerson, *De Vita Spirituali Animae*, lect. iv. coroll. 14 (*Opera*, tom. iii. col. 50, Antwerp, 1706).

men, what man can number, in canons of popes, in synodal constitutions of provinces and dioceses, in the rules of the regulars, in statutes of universities, colleges and churches, in edicts of emperors and princes, in bye-laws of popular bodies. Many of which bind under pain of excommunication, others under an oath or duty of fidelity. And if such and so great a man as Adam, being bound by a single law, failed of fulfilling it, how in the world can we escape, who are set in the midst of so many?[1]"

In our own day, so far as the West is concerned, the burden is doubtless lighter. But it may be questioned whether it is so in the East; and I happen to know that a distinguished Eastern ecclesiastic who was lately in England told one of our greatest scholars that whilst he cared greatly for the purity of doctrine he had no wish that we should ever come to be bound, like them, with a burden of ceremonies which neither they nor their fathers were able to bear.

[1] Gerson, *De Vita Spirituali Animae*, lect. ii. (*Opera*, tom. iii. col. 16, 17, Antwerp, 1706). The whole tract, like every work of this great churchman and large-hearted theologian, is worthy of study.

III.

Plainly, the only way of escape from such a burden is by abolishing some part of the existing ceremonies or customs which are of human foundation. This again would be acknowledged on all hands, at any rate in general terms. There is a recognized maxim which declares that when the necessity which gave rise to any precept has passed away, the obligation of the precept has ceased also [1]; and clearly the only way in which this can be acted upon is by a process of express or tacit abrogation. Is there, then, in the nature of things any reason why some customs should be subject to this process and others exempt from it? is there any reason why customs which are merely local should be capable of being abolished whilst those which are general are not?

Once more, I am not dealing with the question of expediency. It is obvious on the face of it that it is a more serious thing to

[1] "Quod pro necessitate temporis statutum est, cessante necessitate debet utique cessare pariter quod urgebat, quia alius est ordo legitimus, alia usurpatio quam ad praesens fieri tempus impellit."—Causa i. qu. 1. c. xli (*Corpus iuris canonici*, ed. Richter, vol. i. col. 320).

abolish customs in the observance of which many churches are agreed than those which are peculiar to one church; for there is at least *prima facie* evidence that what has commended itself to others too has something at any rate to be said in its favour. No church can wisely or rightly disregard the mind of the Church at large. Nor, again, am I dealing with the question of motive: even a small variation of custom *may* be an outward sign of a disregard of antiquity, a disparagement of the whole Christian body; in a word, of an uncatholic temper. But that is not the point.

The contention which we have to meet is in a word this: that a particular church may not alter a "Catholic custom," that is, one which has the authority of the whole Church or rests on the practice of the whole Church. It might be sufficient to answer that the very fact of the repudiation of the practice by a particular church carries with it the consequence that the custom does not really rest upon the consent of the whole Church; and I hold that in fact this is actually the truth. But let us look at the matter from another point of view. It is allowed that a particular church may abandon a custom or a practice which is peculiar to itself alone. How can

its liberty in this respect be affected by the fact that another particular church has also adopted the practice? or that two others have? or that all the other churches of Christendom have? And once again. It is contended that a custom which has come to prevail throughout the whole Church is thenceforth stereotyped unless the whole Church should happen to agree to vary it. Such a contention practically means that the history of the Church is one of gradually increasing bondage; since it is plain that the difficulties in the way of such agreement on the part of the whole Church are and must be very great. Instead of being a growth into the liberty of the glory of the sons of God, it is a gradual deterioration into merely mechanical and lifeless uniformity; for the further the process goes, the less of liberty will there be.

The Church Catholic, in other words, cannot bind itself; and the particular church cannot lose the liberty which it had in one age because in the meanwhile other churches have adopted the same course of action. Such a thing would not only be contrary to the very nature of the Life in Christ: it is also, as Burnet long ago saw, contrary to the very nature of any true society:

"That the laws of any one age of the Church cannot bind another is evident from this, that all legislature is still entire in the hands of those who have it. . . . The power of the Church is in every age entire, and is as great as it was in any one age since the days in which she was under the conduct of men immediately inspired[1]."

After all, it is the Church of to-day which has to act for to-day. The Church is the heir of all the ages, it is true; it has profited, or ought to have profited, by all the wisdom that has gone before; but it is not the slave of the ages that have gone before, or of circumstances of expediency that once existed and have now ceased to exist.

IV.

But it will often be found that the best way to test some theoretical statement is to submit it to the test by confronting it with undoubted historical facts: so treated, it vanishes at once, as a soap-bubble does when

[1] Burnet, *Exposition of the XXXIX Articles*, Oxford, 1796, p. 473. Burnet is here referring to the English Church, not to the Church Catholic.

it is pricked. Let us test our contention in this way, by asking ourselves whether customs which were once universal have or have not been abandoned by particular churches. We need not do it with anything of exhaustiveness, for the facts as a whole are unquestionable.

If, for example, there is any custom at all which can be said to have had the authority of the whole Church behind it, it is that of abstinence from blood, in accordance with the decree of the Council of Jerusalem [1]. I believe that it is still observed in the East, but nobody would contend that it is observed in the West. The sending away of all but the faithful from the Sacred Mysteries, once universal, is now extinct almost everywhere. The rule of standing in prayer during the Easter season, laid down by the Council of Nicaea [2], has completely fallen into abeyance in the West. The practice of infant communion, the mutual kiss of peace in the Eucharist (as regards the faithful at large), the Agape, immersion in Baptism and especially the trine immersion, are on much the same footing. The prohibition of certain trades and occupations to Christians, the

[1] Acts xv. 20. [2] Can. xx.

penalties on dancing, and the forbidding at certain times and within certain limits of the use of the bath, all these have been gradually dropped by one particular church after another. The ordination of married men and their continuance in the married life after ordination was once universally allowed; it is now expressly forbidden in the Roman communion, excepting in the Uniat churches. The minor orders, and even the Diaconate as a distinct and separate office, are practically in abeyance everywhere but in the East. We ourselves, as apart from other Westerns, have abolished not one but many "universal customs"; we have dropped, for instance, the use of chrism in confirmation and the use of holy water. Even the unchanging East has not been free from innovations. It no longer prevents any but the faithful from being present at the Eucharist; it insists upon marriage previous to ordination, excepting in the case of monks; and in defiance of the ancient and universal custom by which bishops were chosen freely from among the faithful, it now restricts the choice to monks.

No doubt, many of us would hold that some of these changes were not wholly desirable; but I imagine there is nobody who

would say that they were all *ultra vires*. And in the face of facts such as these (and they are after all but specimens from a list which might be prolonged almost indefinitely) I fail to see how it is possible to contend that universal customs can only be abolished by the act of the whole Church.

V.

And, in point of fact, not a few writers of very high authority within the Roman communion have either admitted the principle that underlies such changes or have actually taught that such changes may be made by particular churches. I am of course aware that such is not the dominant view in the Roman communion at the present day; and indeed it is to this fact that I attribute the current ideas on the subject amongst English churchmen, with which I am at present dealing. Nevertheless, the fact remains that the other view has been very widely held. It is probable that a great deal of additional evidence on the point could easily be found, but the following, which is all that I have had

leisure to look up, may be sufficient for the purpose in hand.

1. To begin with, Gratian lays it down quite definitely that there is a certain "great authority" in the Church, according to which "if some of our elders and predecessors did things which at that time could be done without fault, and afterwards these things were turned into error or superstition, then without any delay and with great authority they were destroyed by those that came after[1]"; and he mentions the destruction of the Brazen Serpent by Hezekiah. Here, it is true, he does not say who has power to destroy them; but the fact of the moral necessity at least carries with it the inference that it need not necessarily wait for the action of the whole Church.

2. Gratian lays down this principle repeatedly[2], and it is accepted by a large

[1] Dictum Gratiani ad can. *Quia sancta* d. lxiii. (*Corpus Iuris Canonici*, ed. Richter, vol. i. col. 210).

[2] In addition to passages already referred to, see Gratian's comment on the canons *Quoniam* and *Aliter*, dist. xxxi (*Corpus Iuris Canonici*, ed. Richter, vol. i. cols. 99, 100). Here Gratian expressly recognizes the fact that the churches of the Roman obedience do not follow the ancient rule of the Church in the matter of the marriage of the clergy.

number of canonists of later date. Nor is there any doubt in the mind of such writers as to the possibility of setting aside customs resting upon the very highest authority, should there be need. The Spanish theologian Melchor Cano, for example, plainly recognizes the fact that there are customs even of apostolical authority which may rightly be laid aside, seeing that the conditions no longer exist which they were framed to meet[1].

3. Again, the Roman Catholic Christopher Davenport, known in England as Franciscus a Sancta Clara, who wrote his *Paraphrastica Expositio Articulorum Confessionis Anglicae* in 1634, readily accepts the statement of our Thirty-fourth Article of Religion, above referred to. His words are as follows:

"This whole Article, therefore, appears to me most true, and agreeable to the practice of the Church. . . . That which is added at

[1] Melchior Canus, *De locis theologicis*, ii. 18: "Praescribunt autem Apostoli quatenus pro tempore expediebat, quibus illae rebus in fratrum offensionem possint incurrere. Quia igitur lex a fine suo aestimanda est, tunc haec intelligitur abrogata, cum ab illis offensionibus ac dissidiis, quibus occurrere voluerunt Apostoli, nihil amplius periculi fuit" (*Opera*, Bassani, 1746, pp. 77, 78). **The whole chapter is interesting.**

the end of the Article is most true, and St Augustine says the same (ep. 86 *ad Casulanum*, and ep. 119 *ad Ianuarium*); and again it is to be found, 31 dist. cap. *Quoniam*, &c., and cap. *Aliter*, and is the opinion of all the Doctors[1]."

Words could hardly be clearer than this. It may perhaps be urged that Sancta Clara wrote with the object of showing that the Articles could be made to bear a meaning that was orthodox from his point of view. So he was, and this might doubtless need to be borne in mind if the meaning of the Article were in question. But it is not; and there is no real reason to suppose that he would mutilate the doctrine current in his own communion in order to bring it into line with the Article.

4. A writer of far greater weight who can be quoted on the same side is the Spanish

[1] "Totus igitur hic Articulus mihi verissimus et praxi Ecclesiae consonus videtur. . . . Quod autem additur in vltimo articulo, verissimum est, et tradit August. in ep. 86 ad Casulanum, et in epist. 119. ad Ianuarium, et tandem habetur 31. dist. cap. Quoniam etc. et cap. Aliter, et est omnium Doctorum": *Deus, Natura, Gratia . . . Accessit paraphrastica Expositio reliquorum Articulorum Confessionis Anglicae.* Per Fr. Franciscvm a Sancta Clara; Lugduni, Antony Chard, 1634, p. 320 (ed. F. G. Lee, London, 1865, p. 83).

theologian Francisco Suarez, probably the greatest writer of the Roman communion on the subject of Law in general. He not only contends that local customs are not abrogated even by some universal law to the contrary, unless there be some express, or at least some general, revocatory clause [1], but also lays it down quite definitely that a general law of the whole Church may be abrogated by a local or particular church, so far as its own members are concerned; since such abrogation may often become necessary, and it is in many cases obviously impossible that the whole Church should assemble and take joint action [2].

[1] *Tractatus de legibus et de Deo legislatore*, lib. VII. cap. xx. § 9 (London, 1679, p. 490 b).

[2] ib. VII. xviii. 6; p. 480 a. The whole passage is worth quoting: "Solum video, posse dubitari de legibus Ecclesiasticis latis pro tota Ecclesia; erit enim necessarium, ut consuetudo sufficiens ad derogandum tali legi sit introducta, et acceptata a maiori parte Ecclesiae, hoc autem expectare difficillimum est, et vix potest Ecclesiae constare de tali consensu. Respondetur, si lex universalis pro tota Ecclesia abroganda est, ad minus requiri consuetudinem dicto modo universalem, quia alias non interveniret in eo consensus Ecclesiae absolute loquendo. Et ideo hic modus abrogationis rarus est, non est tamen impossibilis, quia per sufficientem famam, et publicam communicationem per literas et nuncios, potest haec notitia intra quadraginta annos divulgari. Addo tamen iuxta morem Ecclesiae, et canonica instituta, non ex-

5. The teaching of Suarez, that contrary custom may abrogate human law, so far as a particular people is concerned, is in fact that of canonists in general; and the only condition which they lay down is that which had been laid down by Gregory IX; viz. that it must be reasonable and that it must be lawfully prescribed [1]. Nevertheless, after their manner, they tend to make the most of these conditions, and to restrict more and more the cases in which laws can be abrogated [2]. Moreover, they introduce by degrees

pectari, ut haec abrogatio simul pro tota Ecclesia universali, et universaliter fiat, sed fieri per partes in provinciis, Episcopatibus, et aliis communitatibus, quae per leges proprias gubernari possunt. Nam si in aliqua ex his communitatibus praevaleat, in maiori parte consuetudo contra legem communem pro illa communitate derogatur, etiamsi pro aliis integra maneat, et ita cessat omnis difficultas. Et cum proportione potest haec doctrina ad alias leges communes, sive canonicas, sive civiles, applicari."

[1] *Decret. Greg. IX.* lib. I. tit. iv. de consuet. c. 11 *cum tanto* (*Corpus Iuris Canonici*, ed. Richter ii. 39): "Licet etiam longaevae consuetudinis non sit vilis auctoritas, non tamen est usque adeo valitura, ut vel iuri positivo debeat praeiudicium generare, nisi fuerit rationabilis et legitime sit praescripta."

[2] See, for example, L. Ferraris, *Bibliotheca Canonica*, s. v. Consuetudo (Venice, 1783, vol. ii. pp. 537 etc.); and Benedict XIV, *De Synodo Dioecesano*, lib. XI. c. xiv. sect. 10 (Venice, 1793, vol. ii. p. 74).

a new idea of the *raison d'être* of this prevalence of custom; and it comes to be regarded as a state of things which exists by the sufferance of a supreme lawgiver, or in other words as a kind of dispensation on a large scale. It follows of course that the region within which it can exist is made narrower and ever narrower[1]. Nevertheless, the thing still remains, however it be regarded.

6. It has been re-stated in our own day by a modern Italian writer, the canon Salvatore di Bartolo, who actually teaches that universal laws made by the Pope at the present time may be rendered inoperative by contrary custom. In his excellent *Critères Théologiques*, a work which has received the *imprimatur* of a very large number of cardinals and others, he writes:

"All canonists recognize that a law, in order to have obligatory force, must be opportune; in any universal law which ad-

[1] Ferraris, op. cit. p. 542: "Consuetudo rationabilis et legitime praescripta abrogat omnem legem humanam etiam canonicam, ex textu *in c. final. de Consuet.* [i. e. the passage quoted above, p. 40, note 2]. Nefas tamen est episcopo iuxta consuetudinem dioecesis suae contra Canones legem condere; quod enim valeat consuetudo, est ex quidam tolerantia Superioris Legislatoris. Nimiae autem esset arrogantiae, si Episcopus legem conderet contra legem Superioris."

dresses itself to people who differ by education, habits, &c., and who did not live under the same climate, inopportuneness is not impossible. Is it to be supposed, in this case, that the legislator wills to bind those who are subject to him? We, who know the tenderness of the government of the Church, answer in the negative.

This doctrine is upheld by all the canonists, and furnishes a good explanation of that sentence of Gratian, that laws are instituted when they are promulgated, but receive their force when they are approved by being obeyed [1]."

Thus it will be seen that there is no little teaching within the Roman communion itself to justify both the action which was taken by the English Church at the Reformation, and also the justification of that action which the English Church incorporated in the Thirty-fourth Article of Religion.

VI.

To conclude. It may perhaps be gathered that in my opinion the view against which I am contending is the outcome of a mistaken idea with regard both to the nature of

[1] *Les Critères théologiques*, Paris, 1889, p. 319.

authority in the Church and to the nature of the Church itself; and that this mistaken idea, having its origin in a one-sided presentment of things, has found its climax in the Ultramontane party in the Roman communion. Of course, if we conceive of the Church on earth (as apart from the Church beyond the grave) as an organized army, in such wise that every officer derives his authority (or his power of exercising that authority, for my purpose it matters not which) from a single earthly source, and that each is responsible for his actions to a sort of central War Office, then no doubt there is much to be said for the view that a particular church cannot abolish a custom or a rite which has prevailed generally. If we regard particular churches as having no real character or entity, and as being mere fragments of one great whole, then no doubt some such view follows automatically. But we cannot so regard them without robbing them of their essential character, and stultifying all Church history.

Apart from the fact that such a view is essentially that of a mere party, though the dominant party, in the Roman communion, which may or may not be urged in its disfavour, and from the fact that it is unhisto-

rical, which is in every sense to its discredit, it seems to involve two fallacies.

1. It rests upon a conception of the unity of the Church which is that of a machine and not that of a living organism. In a machine it is true, no doubt, that each part can only act within certain mechanical limits, and that the machine as a whole can only act according to one particular method, and that a mechanical one. But it is not so with a living creature. There the whole life, so to speak, is manifested in the activity of each part. Eye and brain and hand, thought and sight and touch, the whole being acts in and through each. So is it with the Church, as St Cyprian long ago perceived. The episcopate is one, and in it each bishop is a partaker jointly and severally. Within his own range, every act of the individual bishop is that of the episcopate in him. Naturally, the joint action of many bishops has a moral force above that of the action of a single one; much more so when bishops act together within a fellowship which is based on past history and common life. But no *new* authority is thereby created: it is still, as it was in the case of the individual, the authority of the episcopate. And so is it with the Church. The Church

is, so to speak, in every part of the Church; and the action of the English Church has for its members the authority of the Church, just as that of the Roman communion has for its members, or of the Eastern churches for theirs. Once more, I have nothing to do at present with the moral weight of particular decisions, but I certainly hold that there is *no other* power behind, for the power is there already.

2. And secondly, it is based upon a fallacious idea as to the meaning of the phrase *Catholic custom*. There is undoubtedly such a thing as Catholic custom, just as there is such a thing as the mind of the Church or the Rule of Faith, in the older and more general sense of that phrase. It would be easy to collect passages from the Fathers speaking of their reverent devotion to all three of these. It is undoubtedly the object of every true Catholic Christian to conform himself to Catholic custom; not, that is to say, to make his life a mechanical copy of something which he can find in precedents of former days, but to live, under the altogether unexampled conditions of these days, and of his own altogether unique personality and altogether new circumstances, in accordance

with the principles and the standards of the Church of Christ. That is surely what the duty of following Catholic custom involves.

But the view which I am resisting uses the phrase Catholic custom in an entirely different sense. It assumes that there are certain customs which, *because* they happen to prevail more widely than others, have a different kind of authority altogether; and that some which prevail universally may on that account be called Catholic customs and regarded as having ecumenical authority. Now I will waive the question which might well be asked, whether there are any customs which can really be said to have ecumenical authority at all, and only say that such a definition of Catholic custom is at once misleading and nugatory. Many will remember that some years ago the late Cardinal Vaughan and the other Roman Catholic bishops in England put forth a most unfortunate *Vindication* of a certain papal Bull. In the course of it they spoke over and over again of "the Catholic rite" for conferring holy orders. It was at once pointed out that there was not, and never had been, any such rite, if by the phrase was meant one which was used in, and supported by the

authority of the whole Catholic Church; and that if on the other hand the phrase was only meant to imply that the rite in question was used by authority in the Catholic Church, every rite Eastern or Western which is used in the Catholic Church might fairly claim to be a Catholic rite. In like manner here. I admit of course that there are certain things which prevail universally in the Church, such as assembling together for worship, confessing of sins, prayer and praise and reading the Scriptures, and above all the administration of the Sacraments, all of which, be it observed, rest upon something wider and deeper even than the most widespread usage. But whatever may be said with regard to things such as these, which do not really rest upon custom at all, I affirm that there is no set of acts, or rites, or customs, which may together be said to constitute Catholic custom. And further, I contend that every custom which is used by authority in any part of the Catholic Church may fairly be described as a Catholic custom, whether it is in use in England or Italy, in Greece or in Ireland, or anywhere else; and that it has, for those who are under that authority, the full sanction of the Catholic Church.

APPENDIX

The Teaching of Beveridge. (See p. 14.)

The passage more especially referred to in the text is that in his *Discourse upon the Thirty-Nine Articles*[1]. My friend Mr. Lacey has reminded me, however, and the fact should be borne in mind, that Beveridge propounded a different doctrine on the subject in a Latin sermon preached before Convocation in 1689, and subsequently published, *iussu Episcoporum*, under the title "*Concio ad Synodum ab Episcopis & Clero Provinciae* Cantuariensis *celebratam; habita in Aede Westmonasteriensi* XII. *Kal. Dec.* A.D. CIↃIↃXXCIX. Per *Gulielmum Beveregium*, Archidiaconum *Colcestriensem* ... Londini 1689[2]." It is not reprinted in his collected Works, but an earlier draft of it is tacked on to his posthumously published *Thesaurus Theologicus*[3].

It would be superfluous to discuss Beveridge's teaching fully here, but it may be said, briefly: (1) that the Sermon appears to have been prepared originally at the time of the Popish Plot, and that both its subject and its argument are somewhat coloured by the feeling which that event roused in England; (2) that its language was in some degree modified when it was preached in 1689; and (3) that the real point of Beveridge's contention is that there are "universal customs" of such great value and importance that they cannot rightly be changed by any local church. This, of course, I am in no way concerned to deny. What I contend is that, if there be customs or practices which no church may rightly change, this is the case because of their importance in themselves, and not because they happen, as a matter of fact, to be universally observed.

[1] W. Beveridge, *Works*, Oxford, Library of Anglo-Catholic Theology, vol. vii. p. 533 f.

[2] Of this I have seen two separate issues, Brit. Mus. 4477. g. 3 and Brit. Mus. 694. e. 16; they only differ in a few letters, and the former is the earlier of the two.

[3] *Works*, vol. xi. p. 474 f.

THE MIND OF THE CHURCH OF ENGLAND IN REFERENCE TO THE LAUDABLE PRACTICES OF THE CHURCH CATHOLIC, AS SHOWN IN HER FORMULARIES AND IN THE WRITINGS OF HER DIVINES.

The title of my paper speaks of the mind of the Church of England. I would not of my own choice have used that expression. It is metaphorical, and I would prefer to avoid metaphors: it implies a certain personification of the Church which I would prefer to avoid in serious discussion. Still the expression is current; and our use of it on this occasion may serve a good end if it compel us to determine its meaning.

Dr. Collins has strenuously defended the position that the Church of England is not a mere congeries of dioceses, a mere formless fragment of the whole Catholic Church. I shall not traverse his defence. I think he errs, if at all, on the side of exaggeration; perhaps I should be inclined to err on the side of minimizing; but the exaggerations into which some plunge in the opposite direction have

made his defence a necessity, even if they have tempted him to overshoot the mark and to aim at proving too much. I shall take up his argument so far as to observe that the English dioceses have been bound together by pressure of historical circumstances in a peculiarly close union, that English bishops have acquired a habit of common action which practically, at least, imposes on them an obligation to continue so doing. They have adopted—it matters not, for my present purpose, by what constitutional procedure—certain formularies which all use alike, and there are certain statements of opinion to which all assent in the most formal manner possible. There are also certain theologians whom all habitually quote with such respect as to give them the stamp of authority. These facts being, I think, pretty clear, I understand by the mind of the Church of England a set of opinions current among the superior authorities of the Church in this country, opinions which are to be carefully distinguished from the divine truth, the Catholic Faith, taught of necessity in all parts of the Church alike, but which nevertheless are actually maintained with almost as much insistence as the Faith itself and are practically treated as indisputable.

I have to discuss the bearing of these opinions upon laudable practices of the Church Catholic. This very phrase comes from one of the formularies of the English Church. The Preface to the Prayer-book, written in 1662, speaks of certain proposed innovations as "secretly striking at some established doctrine or laudable practice of the Church of England, or indeed of the whole Catholic Church of Christ." It is therefore unquestionable that according to the mind of the Church of England there are such practices. By a *practice* we mean something which is habitually done of set purpose. What is done casually, even though generally, would not be so described. There are then things done habitually of set purpose by the whole Catholic Church; and since the Church is diffused throughout the world in such sort that a single corporate act of the Church is hardly conceivable, this must mean that such things are so done in all parts of the Church alike. We are certainly meant to understand this when we read of the *whole* Catholic Church: we shall find the words, I think, even more precise; but I press this for the moment because there is a looser sense in which we may legitimately speak of Catholic practices. The essential unity of the Church

is such that what is done by one part is done by the whole body. A practice prevailing in the Churches of England, of France, or of Russia, is in this sense a practice of the Catholic Church, and thus we constantly describe a custom or usage as Catholic, meaning only that it exists and is approved within the Catholic Church. It is precisely as we call an individual person a Catholic; and this use of the word has been established since the fourth century. But I put aside this looser sense of the phrase, as not proper to our subject. We are concerned, I take it, only with practices prevailing universally throughout the Church.

As examples of such universal practices we may indicate the observance of the Lord's day, of certain great festivals, and, in general, of anniversaries of saints; the holding of assemblies in which the Scriptures are read and the Lord's Supper is celebrated; the use of the sign of the Cross in some fashion, and especially in connexion with baptism. On the establishment of a principle the list may be extended, or it may be necessary to defend the inclusion of some of these examples. We are not concerned at present with the origin of a practice, except so far as to say that

a thing done by express divine command will not come within our range. Such a thing is something more than a practice of the Church. We are concerned with practices not of divine ordering, which have in point of fact, by whatever means, become prevalent throughout the whole Church. How are these regarded?

A double question presents itself. Are these universal practices binding on all parts of the Church, so that no particular church may lawfully depart from them? If such departure be lawful, is the liberty of each particular church in this respect limited or unlimited?

An obvious point of departure is the Thirty-fourth Article of Religion. After denying the necessity for traditions or ceremonies to be in all places one and utterly like, and asserting that they may be changed according to the diversities of countries, times, and men's manners, provided nothing be ordained against God's Word, it concludes by asserting that:—

"Every particular or national Church hath authority to ordain, change, and abolish ceremonies or rites of the Church, ordained only by man's authority, so that all things be done to edifying."

This seems, at first sight, to give a sweeping

answer to both our questions. The conclusion, however, touches only on ceremonies or rites, neglecting the wider word *traditions*, used earlier, which might cover every kind of practice. Carefully scanning the Article, therefore, we might not unreasonably contend that while denying the necessity of uniformity in any practice whatever, it affirms the rights of particular churches only in the matter of rites and ceremonies. It would not follow, for example, that a particular church might lawfully alter the universally accepted rule for the incidence of Easter, or abolish the observance of the Lord's day. Again, while the limitation imposed on general variety is only a proviso "that nothing be ordained against God's Word," the power attributed to a particular church is limited by the more extensive words, "so that all things be done to edifying." We shall find this a pregnant limitation.

Nevertheless the Article goes far in disparagement of universal practice. What its authors meant is seen pretty clearly in the light of discussions which they and their friends maintained against opponents regarding things actually done. Two speeches are extant, delivered in the House of Lords by Feckenham, Abbot of Westminster, and Scot,

Bishop of Chester, against the introduction of the English Prayer-book in 1559. Feckenham laid down three rules for the determination of the question, of which the first was that notice should be taken of what "hath been most observed in the Church of Christ of all men, and at all times and seasons, and in all places." He insisted on the obligation to retain what had been used "generally of all Christian men, and in all places of Christendom, until the late days of King Edward VI." I do not criticize Feckenham's history: I merely record his protest. Scot, for his part, roundly declared that by the adoption of the Prayer-book the unity of Christ's Church would be broken. Quoting the words of St. Athanasius against those who would reopen the questions determined at Nicaea by three hundred and eighteen bishops, he asked indignantly:—"How much less ought we to doubt of matters determined and practised in the Holy Catholic Church of Christ by three hundred thousand bishops?" In addition to the institution of our Saviour Christ for the matter and substance of the sacraments, and the ordinances of the apostles for their form—this distinction is very curious—he maintained that "the additions of the holy fathers for the adorning

and perfecting of the administration of the said sacraments" were duly and *of necessity* observed in the old services, so that their removal from the new book was intolerable[1].

Such contentions urged against the reformers may help us to understand the scope of their action. But if these be held in doubt as exaggerations of opponents, let us turn to their own statements in formal disputation. In the spring of the same year representatives of the conservative party and of the reformers met for scholastic debate in Westminster Abbey. Cole now alleged the same argument as the Bishop of Chester against the alteration of the divine service. It would make a schism, he said, "a division between us and the Catholic Church of God": it was contrary to "the consent and custom of the whole Church, which cannot err, and maketh us bold to say as we do." The reformers, for their part, appealed with equal boldness to the authority of the Catholic Church. Horne's Preface, read before their discourse, concluded:—

"As for the judgement of the whole controversy, we refer unto the most Holy Scriptures, and the Catholic Church of Christ,

[1] Cardwell, *Conferences*, pp. 99, 100, 105, 106, 110.

whose judgement unto us ought to be most sacred. Notwithstanding, by the *Catholic* Church we understand not the *Romish* Church, whereunto our adversaries attribute such reverence; but that which St. Augustin and other fathers affirm ought to be sought in the Holy Scriptures, and which is governed and led by the Spirit of Christ [1]."

The subject for the second day's conference was the express affirmation of the Article:—

Every particular church hath authority to institute, change, and abrogate ceremonies and rites in the Church, so that it be to edify.

At this point the arrangements broke down, but the discourse prepared by the reformers on this head is extant. I shall not recapitulate its arguments: they have been reproduced with great fidelity by Dr. Collins. I make one remark only. The powers of the Church in regard to these matters are taken to be vested primarily in each particular church, the actual agreement of several or of all churches being treated as purely accidental: universal practice is therefore not recognized at all, as such; and though an appeal to the whole Church, as indicated by Horne, is not excluded, this must be an

[1] Cardwell, *Conferences*, pp. 56, 72.

appeal to a formal judgement of approval or condemnation, not an argumentative appeal to the existing custom of the whole Church. The distinction is important, as we shall presently see.

Returning to the record of the first day's debate we find the reformers taking a position little consistent with their later argument. They were now defending the thesis:—

It is against the Word of God, and the custom of the primitive Church, to use a tongue unknown to the people in common prayers, and administration of the sacraments.

We are not now concerned with their arguments drawn from the Word of God; we have to do with their second assertion, kept carefully distinct, that the use of an unfamiliar tongue is against the custom of the primitive Church. They naturally had no difficulty in proving this. But according to their own contention of the second day no inference could be drawn from this fact; for their major premiss was that any particular church might depart from the settled practice of the whole Church. To be consistent they should have relied exclusively on the unedifying character of the impugned practice, or its

contrariety to the Word of God; but they could not refrain from appealing to universal practice when it served their purpose. I have already glanced at Cole's reply: he retorted on them the allegation that they who objected to innovation upon the former practice of the whole Church were themselves innovating upon the existing practice of the whole Church.

This wavering in argument seems to me significant. I think we shall be doing these men no great injustice if we attribute to them a sincere conviction that universal practice was never to be alleged against anything which they proposed to do, but might lawfully be alleged against anything which they proposed to abolish. That is to say, they had no grasp of any general principle, and their uncertainty is reflected in the halting phrases of the Thirty-fourth Article of Religion.

This seems to be generally true of the English divines of the following century. They were great in defending the changes from established custom actually made by the English Church: they were great in attacking the usages actually put away; but I can find no general principle to which both arguments are related. Then, as now, perhaps,

Englishmen were not in love with general principles. They were content to deal with the case before them, and this case involved the assertion of the rights of particular churches. For the necessary limitation of those rights they relied on the divine law. Men of an age which produced the earnest contention that the Genevan Church polity, with all its details of class and presbytery, was exclusively warranted by Holy Scripture, and the no less positive assertion that each of the seven sacraments was ordained in matter and form by Christ Himself, were able to find in the books of the New Testament authority for anything which they wished to establish beyond dispute. Hooker overthrew the arguments for the divine right of Presbyterianism, and he, if any one, could have defined where definition was needed; but he neglected the opportunity, and, though he asserted with great clearness the unity of the whole Catholic Church, he treated ecclesiastical polity exclusively from the standpoint of the particular church.

Circumstances at length forced the question to the front. The reference to practices of the whole Catholic Church, which we find in the Preface to the Prayer-book, is an echo of

the arguments used in the Savoy Conference of 1661. It is important to remember how strong was the position then held by the Nonconformists. They were in possession. The episcopate, indeed, was restored, and the discipline of the Church was being cautiously revived; but no steps were yet taken to enforce conformity, and the King's declaration from Breda held out a promise of liberty. The Nonconformists were able to plead "so long a discontinuance[1]" of the practices to which they objected, as might amount, according to the current opinion of the powers of a national church, to lawful abrogation. They were opposing, not the retention, but the revival of such practices. In their answer to the Exceptions of the Ministers the bishops ignored this plea of discontinuance; they would not, of course, acknowledge the lawfulness of the disuser; but they sought a stronger ground for defence than a mere assertion of the established practice of the English Church, and they found this in frequent reference to the Church Universal. They pleaded that nothing was contained in the liturgy "but that which is either evidently the Word of God, or what

[1] Cardwell, *Conferences*, p. 304.

hath been generally received in the Catholic Church." They derided the proposal to abolish the Lenten fast as being "in effect to desire that this our Church may be contentious for peace sake, and to divide from the Church Catholic, that we may live at unity among ourselves." They urged the consideration that if the Nicene Canon, *Let ancient customs prevail*, be not observed, "we shall give offence to sober Christians by a causeless departure from Catholic usage, and a greater advantage to enemies of our Church than our brethren, I hope, would willingly grant." The structure of the liturgy, they say, "is conformable to the example of the Churches of God before us." Sponsors in baptism are defended on a like ground, and "this general practice of the Church is enough to satisfy those that doubt." More generally they reply that "our Church doth everywhere profess, as she ought, to conform to the Catholic usages of the primitive times, from which causelessly to depart argues rather love of contention than of peace[1]."

Here is insistence and iteration. But though the argument is pressed, no general principle is laid down. There is clearly a

[1] Cardwell, *Conferences*, pp. 337-59.

major premiss of great importance, but it is suppressed, not formulated. A suppressed premiss is sometimes, however, a most valuable indication of what is in the mind. The fact of its being assumed, rather than stated, is significant. One thing I specially observe, as illustrating and extending the rule that the powers of a particular church must be used "so that all things be done to edifying." "We shall give offence to sober Christians," say the bishops, having regard to the need of internal edification; but also we shall give "greater advantage to enemies of our Church." We must consider members of other churches also, giving them no needless offence, no cause for condemning us.

The general principle assumed in the Savoy Conference had not long to wait for express enunciation. The most learned, and perhaps the most respected, of English divines in the latter half of the seventeenth century was William Beveridge, afterwards Bishop of St. Asaph. He preached at the opening of Convocation in the year 1689 a sermon dealing wholly with this question. The text of the sermon has a curious history. Among the miscellaneous writings published after his death under the title of *Thesaurus*

Theologicus, is a Latin sermon intended, as the title and the prefixed bidding prayer show, for delivery at a meeting of Convocation under Sancroft during the reign of Charles II. Such Convocations were called in the years 1677, 1680, and 1681, but did no business. A reference in the sermon to the prevailing excitement about the Popish Plot points to the first of these dates, and the sermon is mainly an attack on the corruptions of the Roman Church, regarded as declensions from universal practice. There is also a slighter reference to the errors of English dissenters. In November, 1689, Convocation met for the purpose of considering proposals drafted by a royal commission with a view to the reconciliation or comprehension of dissenters. Chosen to preach at the opening of the Synod, Beveridge fell back upon his old sermon, remodelling it to suit the changed circumstances. He struck out most of the references to the Papists, whom he described as lately defeated, and gave his attention exclusively to the importance of conformity with those general practices of the Church Catholic which the dissenters impugned.

He preached from St. Paul's words: "If any man seem to be contentious, we have no such

custom, neither the churches of God." He observes how insignificant in themselves were the practices to which St. Paul applies this criterion. He shows that the appeal to the churches in plurality is an appeal to the Church Catholic as a whole. He asserts that the regulation of rites and ceremonies, and other matters concerning the external policy of the Church, is committed by God to the several particular churches, subject always to the rule that all things be done decently and for edification :—

Quod si sacra haec Oracula consulamus, omnia quidem in iis inueniemus, quae ad aeternam salutem consequendam sunt necessaria: sed non ita multa de externa Ecclesiae politia, nedum de singulis ritibus ad eam necessario requisitis. Hos scilicet Deus singulari cuique ecclesiae constituendos reliquit, secundum generales istas regulas, quas ipse ad eum finem in sacris Scripturis tradidit: Quales sunt, *Omnia decenter et ordine fiant: Omnia ad aedificationem fiant*: et aliae eiusmodi; in quas Ritus ab Ecclesia nostra usitati ad amussim quadrare uidentur [1].

But what, he asks, if particular churches disagree ?—

Quid autem si inter duas Ecclesias Pro-

[1] *Concio ad Synodum*, p. 5 (printed by Roycroft, 1689).

uinciales, uel inter diuersa eiusdem Prouinciae membra, contentio de ritu quouis oriatur? (p. 5.)

The answer is that reference must be made to the practice and the opinion of all other churches :—

Quod si quis nimirum ritus ab Ecclesia aliqua prouinciali usitatus in controuersiam uocatur, diligenter inquirendum est, quid aliae omnes Ecclesiae de isto senserint, et utrum ab illis etiam usitatus fuerit. (p. 9.)

This does not mean that contemporaneous churches only are to be consulted: the whole Catholic Church is intended, which has existed from the earliest times :—

Quae scilicet ex uniuersis Ecclesiis, non illis tantummodo quae uno eodemque temporis articulo existunt, sed quae unquam extiterunt, computanda est. (p. 9.)

St. Paul's argument would be meaningless if the Corinthian Church were not bound to conform in some measure to the practice of all other churches :—

Quod si Ecclesia Corinthiaca ad alias omnes Ecclesias se accommodare et ritus earum seruare non teneretur, hoc Apostoli argumentum nullius ponderis aut momenti esset. (p. 11.)

The conclusion follows, moreover, from the very nature of the Church. It is a great society spread throughout the world, of which the several provincial churches are members. But the various parts of such a society must be conformable to each other, and therefore what any large majority of the whole society ordains must be accepted by every part, or the privileges of membership will be forfeited:—

Deinde hoc idem constat ex ipsa Ecclesiae natura ac notione. Ecclesia enim, generatim sic dicta, *Vna est permagna hominum ubicumque terrarum Christi fidem profitentium Societas aut Congregatio; cuius singulae prouinciales Ecclesiae totidem sunt partes siue membra.* In omnibus autem huiusmodi societatibus pars omnis toti suo congrua, et pars minor maiori consentanea esse debet. Hoc ratio suadet; hoc ius naturale edicit; hoc communis hominum consensus necessarium esse statuit. Adeo ut si quid a maiori, multo magis quod a maxima cuiusuis societatis parte constituitur, eodem pars reliqua constringatur, illudque obseruare necesse habeat, si membrum manere et priuilegiis istius societatis gaudere uelit. Quod cum in omnibus cuiuscunque generis societatibus ualet, multo magis in Ecclesia ualere debet, quam omnium ordinatissimam esse decet. (pp. 12–13.)

Therefore any controversy about a rite received in use by a particular church is normally to be determined by a reference to the practice and custom of the Church Universal:—

Si qua olim controuersia de ritu quouis ecclesiastico a singulari aliqua Ecclesia recepto exorta est, in Ecclesiae Vniuersalis praxin et constantem ea de re consuetudinem inquirere, et sententiam exinde ferre, semper solenne fuit. (p. 16.)

The great Paschal controversy, for example, was so determined at Nicaea, the Asian churches being found to stand alone against the practice of all other churches.

Beveridge concluded this argument with a striking illustration, suggested, no doubt, by the recent proceedings of the Court against the corporate towns of England. These corporations, he said, have power to enact by-laws, but only so that they infringe no provision of the common law or statutes of the realm. So also particular churches, in their several regulations, must ordain nothing contrary to the general law of the Church, which is the Kingdom of Christ:—

Enimuero e praemissis constat, quantum expediat ut mores ritusque ab Ecclesia uni-

uersa hactenus obseruati obseruentur etiam nunc a singulis. Non secus atque politicis etiam corporibus usu uenit. Exempli gratia, hoc ipso in regno plurima dantur municipia, aliaque inferiora sodalitia, quae singula sibi suisque membris leges conscribendi potestatem habent; ea tamen cautione semper adhibita, ut nihil ab iis constituatur aut fiat, *quod contrarium est Statutis Regni, aut Communi*, ut uocant, *Legi, seu ueteri cuiuis Consuetudini, quae ante hominum memoriam introducta et per totum Regnum recepta fuit, atque itu uim Legis obtinuit.* Ad eundem fere modum, Ecclesia uniuersa, quod est Christi Regnum, sua habet Statuta, sacris Literis conscripta, et suam etiam quasi Communem habet Legem, e certis quibusdam ritibus constantem. (p. 19.)

This common law of the Church must be observed by all Churches, *quae solidam cum uniuersa communionem retinere cupiunt.*

This last phrase is critical. It shows what Beveridge understood to be the effective sanction for the rule which he formulated. Other Churches might lawfully and reasonably refuse to communicate with any Church innovating upon the universal practice of the whole Church. This illustrates the fears expressed by the bishops at the Savoy Conference; it explains that appeal to the Church

Catholic which even Horne allowed. But Beveridge went far beyond the reformers of the preceding century; while bringing out clearly what they left vague, the manner of appealing to universal custom in formal judgement, he further maintained that such custom should be followed even as an ordinary guide.

The sermon was printed by command of the bishops, and ran to three impressions within six months. The Convocation showed so little inclination to concede anything to the dissenters that by Royal command it was speedily dismissed. For the time being the argument from universal custom seems to have triumphed. We may doubt whether it stands permanently good. Somewhere, perhaps, midway between the extreme particularism of the sixteenth century and the extreme catholicism of Beveridge, we may look for the mind of the Church of England.

Canon Wood, Rotherfield Greys Rectory, said: I am sure we are all much indebted to the Dean for his exceedingly interesting paper, and I rise merely to bring forward a crucial instance to illustrate what he has brought before us. We believe that the Holy Catholic Church, as the Dean has pointed out to us, is not an antiquarian curiosity, but a real living organism, and, if that be the case, it must adapt itself to its environment. Next, as a matter of historical fact, we find it exists in various nations of the world and under different conditions. These raise problems differing one from another. Therefore I hope we all come to the conclusion that the Catholic Church ought to adapt itself to the circumstances under which it is placed and consider the necessities of those nations in which it lives. And we find, as a matter of fact, again and again, that it has done so. In a great many points her customs have been gradually modified. We have heard several of them. But there are a vast number more which will occur to us all: such as the rites connected with baptism, the number of sponsors (originally there was only one), unction before and after baptism; the age of confirmation, which was formerly administered immediately after baptism and to infants; the circumstances of the appointment of a bishop, that he must be elected from the Diocese in which he is to discharge his functions, that he must be consecrated by three bishops. All these have been, by authority of the Catholic Church, altered from time to time. Many of them, of course, are simple matters of ritual which have been gradually changed, and not therefore illustrations of a National Church exercising the right of altering for its own members the disciplinary rules and ceremonies belonging to the Church Catholic. But I should like to remind you of one remarkable and crucial instance of a National Church

by authority changing a custom that was of universal prevalence. In baptism, as we all know, it was universal throughout the Early Church for trine immersion to be practised. There is evidence of this in Syria, Antioch, Alexandria, Rome, Gaul. All throughout the Catholic Church it was customary, and the reason of it was obvious, for it was the baptism into the name of the three Persons of the Blessed Trinity. Thus when Eunomius, Bishop of Cyzicus, began to practise immersion only once in baptism, the innovation was condemned so strongly that in the Apostolic constitutions there is a special order that any bishop or presbyter practising only single immersion should be deprived of office. But when in Visigothic Spain, which was at the time infested with Arianism, the trine immersion was interpreted to imply a difference in the Persons of the Holy Trinity, it was decided by the Fourth Council of Toledo, in 633, that the custom of trine immersion should be given up in the Spanish Church because it was being perverted, and only one immersion should be used as symbolical of the death and resurrection of our Lord and belief in His Divinity. I think this is a very remarkable instance of such a change made by a National Church and acquiesced in by the rest of Christendom, and may justify our reformers, at all events in theory, in adapting the rites and ceremonies of the English Church to what they conceived to be more suitable for the times in which they lived. And I should like to add that as they conceived themselves justified in making such changes—I do not venture to say whether they were all wise or all necessary—but such changes as they made on such grounds as they allege, so I think we who live in the twentieth century—not in the fifteenth, or sixteenth, or seventeenth—are perfectly justified in turn in reverting to customs that are now more suitable, or adopting others for the benefit of the Church in the century in which we live.

The Conference at this point adjourned till the evening.

EVENING SESSION.

The DEAN OF CHRIST CHURCH: I will ask Bishop Mylne to open the discussion this evening.

BISHOP MYLNE: Mr. Dean and Reverend Brethren: the besetting danger of specialists is a deficiency in their sense of proportion. When a man has made a single subject his own he is often unable to see that any other subject is worthy to be considered alongside of it. And when he has advanced very far in it, so that the things which are matters of learning and acquisition to other people become axiomatic to himself, then the details with which he is occupied may become as important in his eyes as the principles which he has the utmost need to impress on other people. We clergy are all of us specialists, and specialists in that subject above all others in which it is most difficult to preserve a sense of proportion. We are, through the grace of our Lord Jesus Christ and what we are taught at our ordination to treat as a call of the Holy Spirit, specialists in the relations between heaven and earth. The whole subject with which we have to deal in doctrine and in practice is of an importance so transcendent and a solemnity so overwhelming that our great danger is that we may forget in all our handling of it the broad difference between principle and detail, between positive enactment and eternal obligation. It appears to me, then, that our difficulties about ritual, and especially the one which we are to deal with to-day, form a crucial instance of that lack of the sense of proportion by which specialists—perhaps clerical specialists above all—are beset. The principles are very few, very simple, very far-reaching. But just for that reason I think they are apt to gather round themselves an immense accretion of details, under which it is possible to lose sight of the principles, or, if we retain

a clear sight of the principles, to lose sight of the infinite littleness of the details as compared with the infinite greatness of the principles. The principles are, I think, first, that in the religion of the Incarnation we are dealing with truths absolutely beyond the reach of man's intellect, and therefore only to be made known to us by the revelation of God, and only to be held by the grace of God; this is the principle of authority: second, that Christianity being the religion of the Incarnation, Christ is Christianity and Christianity is Christ; that our relations are with a Person, who communicates Himself to ourselves, and unites Himself to us in body as well as in soul; that is the principle of Sacraments: third, that, in order to preserve that truth and in order to administer those Sacraments, God has committed the charge of the truth and the ordering of the Sacraments not to individuals but to the corporate body; that is the principle of the Church Catholic. Granted those three, and I think you may say practically we have the whole of Christianity. Now, in regard to the first—the principle of authority—I suppose the basis on which we all meet to-day is that Ecumenical decisions, once given by a valid council and once accepted by the Church, are irreversible and irreformable. But even in that quarter how marvellously sparing has been the Church as a whole, how parsimonious has been our own national church in particular, in the degree of obligation she lays upon us, and in the number of principles she asks us to accept. Any one who knows the masterly Bampton Lectures of the present Bishop of Worcester will understand what I mean. And when you come to the second—to the principle of Sacraments—surely the conditions which constitute a Sacrament valid, and the rite which expresses to the senses the idea embodied in that Sacrament, are totally different things and stand on a totally different footing. And the great danger that we are now called upon to meet lies in a confusion between these two things: between the infinite littleness of the

details even of Sacramental worship and the infinite greatness of that which concerns the validity of the Sacraments themselves. We want to keep the two absolutely distinct; to have clear to our own minds and make clear to any one who looks to us for guidance and direction that so long as, under the guidance of the whole Church, we retain everything essential to the validity of the Sacraments, the rites by which this is expressed to eye or ear or any of our senses are something to be settled from age to age exactly as the Church thinks expedient—to be modified in the interests of the weak, but never for a moment to be asserted as being on all fours with that disciplined order of the Church which secures the validity of the Sacraments themselves. The same holds good in matters of discipline: the Church has ordered in some detail the life of her members in each age and country; she adapts herself; she does not look on men in the abstract; she takes each age and each country, and orders the lives of individuals in that age and that country, so far as is necessary for keeping them in her Catholic communion. Every thing else is left, first to the discretion of ages and countries, and last, as far as possibly may be, to the conscience of individual men and women. I am therefore most anxious, the Conference having met to treat a subject like this, that we should not part without arriving at some resolution such as I propose to put before you, and which is only a condensation of the masterly paper with which the Dean opened the discussion. Perhaps I am not in order in moving a resolution now, but I have tried to draft something in the form of one. It is to the following effect: That it is disastrous in practice, that it is incompatible with history, and that it is false in principle, to attempt to put details, adjuncts, directions of public worship, or positive obligations applying to the life of individuals upon the same footing with the great principles of the Christian faith or with the fundamentals of Church order.

The Rev. F. C. Kempson: Mr. Dean and Brethren;

There was a certain person who attended a Conference. Shakespeare said he was a "gentleman" and he attended the Conference after going up and down the earth and walking to and fro in it. Who that person was I won't mention, but I will say my purpose now is to act the part of *advocatus diaboli*. If we are going to try and get at the meaning of what our present difficulties are it seems to me necessary to try to put ourselves in the place of the "recalcitrant" clergy, either real or so called, to try and see what they are really driving at. Let us start from this, we have got the condition that the bishops at any rate want them to do certain things and those things they will not do. Let us also say that this is a very serious evil—I am speaking now my own mind—and that it is an evil which wants to be remedied. These men will not do these things they are wanted to do. They are serious men; they believe in the truth of their own position; they are moreover winning souls for Christ; there must be some real underlying meaning, something real and living which they feel it is their duty at all costs to defend. I do not say they are going the wisest way about it; I do not say that some have not done many utterly indefensible things, but I do say that they are fighting for some real thing. And on the other hand the bishops are fighting for something real or feel that they are, and the matter has been brought to a practical deadlock. Now where did the deadlock arise? I think it has practically arisen from the two sides not clearly understanding each other's premises. I will put it in this way: I will put myself in the position of formally repudiating "loyalty to the Church of England" as it is so called, while I claim to remain in communion with the bishops of the province of Canterbury and York, while I even say it is *absolutely necessary to salvation* to continue in this communion: yet I repudiate formally and officially what is called "loyalty" to the Church of England. Now, what is the meaning of the position? The meaning of the position is this, that these bishops are bishops of the Catholic Church; they hold the juris-

diction which Christ gave to the Apostles and are therefore put in authority in the communion of the body of Christ which is not merely a society but a body, an organization in which all the members are united by the Holy Ghost one with the other, and therefore it is our duty to be in communion with these bishops *as bishops of the Catholic Church*. And then there come those various questions as to whether certain things are Catholic order or not. There are certain things which are fought for, that they feel they must fight for and maintain in the interests of Catholic order. Now, where does their mind come into divergence with some of the things that have been said in certain papers this morning? Well, I put one stage of divergence very early. I place it in a divergence from the opinion which you, Mr. Dean, expressed in the first part of your paper (or while you supposed us all to be agreed upon the fundamental functions of the Church). They were put before us there as *two*, to be witness to the truth, and to be the channel of grace. Now I think that the people whom I am trying to represent would dissent on this wise. Christ our Lord has *three* offices, as Prophet, as Priest, and as King. The priestly office is sacrificial and lustral; the prophetic office is that of teaching; the regal office is that of government, partly legislative within the body, partly military, aggressive as against those that are without; and that is an essential feature of the Church, as a whole Church, which is the body of Christ. If there is any reality in the definitely given legislative power (as there must be if there is an external kingdom, and, as Sir John Seeley in "Ecce Homo" says there was meant to be), there must be in external things a certain skeleton or outline in matters of rite and ceremony, which is common to the whole Church, in which a national church may (nay must) fill in the details, while it may not touch the skeleton or outline. And if it were contended that all these things which are disputed are things which it is the right of the particular or national church to ordain, change, or abolish because they are only retained by

man's authority, I think that such a man (i. e. a "recalcitrant") would answer that what has been done (as Mr. Lacey put it) "by the whole Church as of set purpose," even without formal enactment, only on the authority of what we may call custom or common law, is yet not a thing which is done by man's authority. It is a thing which has seemed good to the Holy Ghost, because the whole Church has done it. And there is Scripture authority which they can bring for this view. The Apostles and Elders in Jerusalem decided certain points at issue about things changeable, but so long as they were to be enforced they were things which "seemed good to the Holy Ghost and to us." And therefore the "recalcitrant" feels that the skeleton, the outline, slight as it may be, is yet a thing sacred, which no national Church has any more right to touch than a county council has the right to abrogate an Act of Parliament. There is in this attitude a loyalty, and loyalty is to the Catholic Church of Christ. We want loyalty to the kingdom which Christ founded, and we cannot raise to the level of a "loyalty," the obedience which is to be given to the local part of the body of Christ. Whether all the deductions which recalcitrants make from the principle are right and are justifiable it is not for us to discuss now, because we do not want to go into detail, but "recalcitrants" certainly do believe that some Episcopal actions have struck at what is "Catholic," and their defence of what they believe to be Catholic is worthy of respect. Let me take another point to illustrate the theoretical position. A person taking the standpoint of claiming communion with the bishops of this country and publicly repudiating "loyalty" to the Church of England might say, "Whenever I celebrate the Lord's Supper or 'say Mass,' Whenever I say my Office or recite the Psalter, I do so out of the Book of Common Prayer." There is there a complete method of saying the Mass and reciting the Psalter. The order of the Prayer-book is appointed by the local authority; I receive it as the voice of God because I am loyal, not to the

local church, but to the universal church, and the universal church has devolved an amount of authority on the local body which includes discretionary power in liturgical details."

N.B.—There is an allegiance due to the local authority, just as there is a veneration due to saints. But supreme allegiance is due only to the whole Church (which is Christ), just as supreme worship is due only to God. "Loyalty" is used by me as the analogue of the supreme worship called "latria."

F. C. K.

The Rev. Mason Cox: As to the proposition contained in the first clause, I do not see that I should have any difficulty whatever in accepting it, namely, that a national church *can* set aside for her own members "disciplinary rules and variable rites and ceremonies," even when they have for some time obtained through the whole Church. The Church, for instance, I take it, has got the power even to vary the baptismal formula, and to bring priests much more prominently forward in the administration of Confirmation. There is Catholic ground for that. The point is not whether a national church *can* do so, but what is the method by which it does so, and, to come to recent controversies, when and how has the Church of England as a national church done so. The way in which a national church does set its rules, rites, and ceremonies aside is by synodical action alone. With reference to many points of ancient ritual and practice in the Church of England, some of us feel strongly that there is no evidence that the Church, as a national church, has set them aside. There is no evidence, for instance, that the Church has set aside fasting Communion. On the contrary the evidence from the Prayer-book is that the rule of fasting, in the Church of England, is far more stringent than ordinarily practised. The Dean of Christ Church admits that fasting Communion was universal up to the time of the Reformation; Dr. Collins admits that it was practically universal. The Dean suggests that this rule of fasting might be dealt with in three ways, either

by keeping from Communion altogether, which, of course, as he says, is out of the question; or by applying to the bishop for relaxation, which adds unnecessarily to the bishop's burden of work; or by private judgement, which latter, he urges to be the right solution. We have it then that a rule which was practically universal up to the time of the Reformation may be set aside by private judgement. But vestments, incense, penitential discipline, &c., were all practically universal up to the time of the Reformation. Are we then advised, actually, that we are in these matters to use our private judgement? Of course that is a *reductio ad absurdum*, and therefore I submit that we cannot in this way find the common principle of agreement which we have been rightly told we ought to try and secure by means of this Conference; except by a clear and definite declaration that the Church of England can set aside her ancient rules, not by the action of individuals, however distinguished or learned, but by plain and open decree of her synods alone.

The Rev. Father Kelly: Mr. Dean and Brethren; We are asked to discuss the relations of the particular Church to the Catholic Church as a matter of principle and not of detail. I accept that, but there are two points which we need to keep very clearly before our minds. First, we need to be quite sure that the principles with which we are dealing are not theories, that they are principles which are going to have a result, that they are practical principles. Secondly, we must be sure that they are genuine, the real principles on which people really are acting. I must lay stress on this latter point, for nothing in life is more common than to find men who have somehow drifted to an opinion sometimes by mere custom, casting about for something on which to base it—a major premiss which shall lead up to a conclusion, which in fact was not drawn from the principle propounded, but from very different principles which they have never examined, and which they might not care to avow. If then we ask, What is this man driving at? the principles which he himself advances are not by any means

always a sufficient answer. I would apply that in the first instance to the Church itself. Her action is often spoken of as determined by rules. But we are dealing with a living body, and life is not dominated by rules; it is dominated by living power. The Dean spoke this morning of vestments. He said "it was open to the Church to declare special vestments should be worn, or it was open to her to declare they should not be worn, *as regulations only stereotype custom.*" That last clause is exactly my point. The Church never did declare in the beginning that vestments should be worn. They became universal by custom as the natural outcome of the principle of reverence for a certain special service. We can see the same force in our own history. The Church, I believe we are all agreed, ordered their use. But, law or none, without reverence for that worship they died out. When reverence and belief came back, although many of the wisest doubted the wisdom of the action, the natural instinct reasserted itself and they returned. Personally I do not doubt that the particular church has power canonically to abrogate the use of vestments, but I am much more concerned over her motives than her prerogatives.

Exactly the same rule applies to all questions, of which fasting Communion is the best example we could have. It also grew of a natural instinct of reverence. It was universal long before it was made a rule—as all rules are made—because what the virtual all feels to be right, the actual all should follow for the sake of unity. It appeals to us on two grounds; one is as a universal or Catholic usage for the sake of unity, the other is reverence. Can the English Church abrogate an otherwise universal rule or custom? Personally I do not see how it can be theoretically denied. But, once more, it seems more to the point to ask after motives than powers. When men no longer feel the instinct of reverence which led to it, nor the interest in Catholic usage which sustains it, the custom is dropped. Where both are felt it is revived. If we should feel the interest in Catholic authority, without

having the feeling of reverence, we might abrogate the rule, but that is not what has happened. I want to refer to the three alternatives mentioned by the Dean of Christ Church. The possibility of diminished communions I need not discuss, further than to say that there is a great deal to be said on both sides. Especially among the comfortable classes there are a vast number of effortless, unprepared communions which it would be a great gain to diminish. To say that because of the enormous difficulties of his office, a bishop can no longer perform the work of saying when exceptions from a rule may be granted seems to me equivalent to charging our diocesan system with having reduced itself to impotence. With our preposterous dioceses I am afraid the charge is only too true, but it is a very dangerous argument. It is exactly the argument, whether a sound one or not, through which all our ritual and other extravagances have grown up. The third alternative was private judgement. What we want to know here is what this means in practical fact? What use are people likely to make of it? What is their attitude towards Catholic usage or natural reverence? Do our average parishioners prefer communicating late because they are convinced that the particular church has a right to set aside the decrees and practices of the Catholic Church? The plain fact is that they have neither heard of nor care one straw for the rules and rights of the Church, either Catholic or particular. Of course there are pious people who are swayed by such questions, but the vast mass of our people do not even ask whether the one authority has set aside the other. They communicate late because it is less trouble. The dominant theological conviction of modern life is not the right of every particular church, but of every particular person to do just what he likes, and he thinks it is the first business of religion, its one business, to justify him and make him comfortable in so doing. That which will do it is a liberal and manly religion; any religion with hard rules is a dogmatic and narrow religion, although of course

they are duly grateful to any one who will provide them with ingenious arguments against inconvenient demands.

The Rev. Darwell Stone: Mr. Dean, Reverend Brethren; I have asked to be allowed to speak this afternoon because I am one of those who would have the greatest possible difficulty in assenting to a statement that a particular or national church has the right to alter what is universal, unless that statement were accompanied with almost numberless explanations and qualifications. It seems to me that in this matter which your paper, Mr. Dean, has brought before us there are involved principles of the greatest difficulty which, so far as I know, have been very rarely and very imperfectly faced. I am most grateful for what Bishop Mylne said this afternoon because he recalled us from detail to principles, because he reminded us that what really matters in the things of religion is that which is fundamental and vital principle. Now it is just here that my difficulty comes. I should feel no difficulty at all in saying that a provincial church or a national church might alter this or that detail, which was not more than a detail. But the question does present itself to my mind when I have got to put down something on paper as a general statement as to where principles and details touch one another. That question, it seems to me, is one of the greatest possible difficulty.

Reference was made in papers this morning to various matters about which there has been legislation by the Primitive Church. One paper, I think, reminded us of the rule against kneeling at Eastertide. Well, there, I think, is clearly a matter of detail where alteration can now be made, for this reason: what underlay the prohibition of kneeling at Eastertide in the ancient Church was the protection of the truth of our Lord's resurrection. There is no one now, I think, who would associate the practice of kneeling in Eastertide with a denial of this fact. Consequently that which was a detail involving principle in the fourth century would not

be a corresponding detail now. Therefore the matter has become one of mere detail. So far, I think, the ground is clear. Then I would take an instance at the other extreme. It is the instance of Infant Baptism. There, I suppose, we should all be agreed that great and vital principles are involved, and perhaps we should mostly be prepared to say that it would not lie within the power of the provincial church or national church to abolish the custom of Infant Baptism. In these two instances we are on fairly clear and solid ground. But then how much there is between, and how difficult, in this that is between, it is always to be sure where the principle of the old Ecumenical legislation or the old Ecumenical custom comes in or where it does not. Let us take the instance that has been so often referred to to-day of fasting Communion: are we quite sure that this is a detail? Can we be quite sure how far some great principle of the Christian religion is involved in it? In your paper, Mr. Dean, you referred to different ways of treating the rule of fasting Communion in the Church of England. It seems to me there is a question that has to be faced before that. Before it can be asked how an individual might be justified in dealing with the rule, before it can be asked whether there are any possibilities of exception, and if so, how they are to be met, there is the question whether as regards the rule itself, whether as regards that which is to be done in all ordinary circumstances—I may put aside all questions of possible exceptions—how far as regards the rule as the ordinary law of the Church, the local church can alter what the whole Church did? And there it seems to me one does reach a question of tremendous difficulty, viz. the question how far principle is involved in what at first sight seems like a ceremonial rule. We were told this morning, in Dr. Collins' paper I think it was, of the somewhat slighting way in which St. Augustine referred to this or that custom in this or that place. But there is a famous letter of St. Augustine which I suppose nearly all in this room will know well.

There is a famous letter of St. Augustine in which he draws a very sharp distinction between the things which are of the Universal Church, the things which in his phrase have pleased the Holy Ghost, and those details which are different in different places. And as a universal custom which has pleased the Holy Ghost he ranks the custom of the fast before Communion. Now, before I say that the Church of England can alter the law as the ordinary law, I want to be quite sure that there is not something in the way of deep principle behind the universality. Certainly for my own part I should most strongly deprecate any statement of opinion going out from this Conference which stated that a local church can rightly alter what the whole Church has sanctioned for the whole Church in a matter in which principle is involved.

The Rev. L. B. Radford: It is with great hesitation that I venture to try to follow in the line which Bishop Mylne laid so clearly and so firmly before us at the beginning of this afternoon but it has been in my mind ever since; the notice fell upon our ears at the Eucharist this morning that our offerings were to be given for the purpose for which the Church was called into existence, viz. the work of the mission-field. We are now dealing, it is true, with the question of the National Church, and it is right to deal with that which has come down to us through the ages, diminished sometimes by positive enactment of abrogation, diminished still more largely by the still more potent force of disuse; but the thought comes in a moment that we are not now in the position in which men were at what we call the Reformation, however short or long we consider that period, whether an age or a century. We are not in the position of those men whose action is practically the real form in which the point comes before us to-day; for the question before us, really behind the general statement, is the justification or otherwise of certain things added or omitted at the time of the Reformation, certain particular questions which have arisen again and will arise in our age as they will do in

ages to come. But after all we are dealing not merely with questions of the National Church. We are no longer a national church only. The growth of the Anglican Communion, the widespreading of the missionary spirit, are awakening the consciousness that our Orders run through a Church that is no longer national in its working though it be practically national in its base of operations, a Church starting from a nation but working along the lines of a wider field into which God has expanded the energies of the nation. Our missionaries go forth with all the traditions of the National Church as well as its prestige, with the advantages and the disadvantages inherent in them of their national training, and they go forth to do a work not for the Church of England but for the world. Slowly there comes the preaching of the faith, the giving of the Scriptures in the vernacular, the building up of the liturgy, and the whole of church history in the making over again. With the growing consciousness that our Orders may carry the possibility of going for their execution six or twelve thousand miles, to Japan or New Zealand, there comes the view of the real problem. I would venture to plead it should never be absent from our mind this afternoon. It is not my place to offer a solution or state the problem in sharper outline or more precise detail, but let us never forget that this is the question with which we are face to face. The relativity, if I may use the word, of all that is external, outside the matters which concern the validity of the Sacraments, is becoming more and more clear as we face the conditions of work abroad. When men go forth to the work of the Church in Japan or New Zealand, they go forth as officers or members of a body which is no longer practically homogeneous. St. Augustine when faced with the problem of British Christianity and his own missionary work in the winning back of this land was an officer of a body which had indeed its differences in detail, but will any man say those differences were so crucial as the differences that rise over the questions

in our midst now, such questions for example as vestments, and fasting Communion? Or again, will any man say that St. Augustine was in the same position himself as men who go forth to-day? The Church goes forth to-day in sections – Church Missionary Society and the Society for the Propagation of the Gospel— and around them, sometimes to our shame in advance, go all the looser forms that are the offspring of Nonconformist zeal. Now, there is the problem, the building up of native Christianity, of other national churches abroad, and when that arises before our minds, as we face our questions at home, it cannot but form a great element in our problem, that will cut out some things and introduce others, it cannot but diffuse an atmosphere which will tone and colour a great deal of what we are saying and thinking on this question, it cannot but remind us that the whole question is more than the question of the use of vestments or fasting Communion in a certain parish in Oxfordshire or in London.

Canon Body (Durham): I think perhaps I may help a little toward drawing us together if I say what is in my mind. I shall not speak by way of reply to anybody, but I only want to say how this question presents itself to me. I want to get back to principles. I cannot but think it is somewhat regretable that one special instance has been brought forward with the prominence it has this afternoon. However important this discussion on the question of fasting Communion may be it is not the subject I came here to Oxford to discuss. I agree a great deal with what was said by the gentleman who spoke of himself as being the *advocatus diaboli*. You may be surprised to hear me say so because it will be seen our variation is very great. I assume first of all we are all Catholics, that our membership of the Church of England is only of secondary importance; that we are all baptized into the Catholic Church; that we have been ordained into the Catholic Church; and the Catholic Church is our mother, and it is to her direction and her direction alone to which we look

for guidance in the practical carrying out of our life as priests of that Church. Now there are certain things in which the whole Catholic Church is knit together in one, and unless any society of Christians possesses these links we cannot recognize it as being a part of the Catholic society. The Dean mentioned this morning two, which every society of Christians must possess to make good its claim to be of the Catholic Church, viz. continuity of faith, and continuity of ministry, to these I would add a third, continuity of worship. Now there is throughout the whole Catholic Church as a matter of fact a great system of worship which seems to me to rest on the same authority as other marks of the Church. As of old we must continue in the Apostles' doctrine and fellowship, and in the breaking of bread and in the prayers. But the question which arises is, how does the Catholic Church speak to me here where I am? How am I to yield my obedience not to the Catholic Church, but to Him who is in the Church Prophet, Priest and King? Either the Church of England has maintained her Catholic continuity or she has forfeited it. If in any essential features of worship she has forfeited the Catholic character then I cannot desire with any longing whatsoever to be any longer under the jurisdiction of Canterbury or York. The position seems to me to be an absolutely unintelligible one, in spite of the earnest and clear way in which it was put, that I can be really living as a Catholic in the portion of the Catholic Church which has jurisdiction in England and at the same time openly professing that I am free from the obligation of loyalty to its Episcopate. Again and again in speaking on this question in England I have said what I repeat now. It seems to me the whole question of our Catholicism depends on our position on this question. To say there can be any right to refuse obedience to those who have the duty to speak to me with authority and that my conscience can dispense me from this obedience is to me an impossible position. If what these demand is in my

judgement fatal to Catholic obedience I must withdraw myself from the rule of those who demand a conformity which I dare not give. If what they decide, however it may restrict Catholic privilege, is not such a restriction as to make invalid the jurisdiction of the Church I must submit to the deprivation and obey. If there is to be anything like an avoidance of that which St. Paul mentioned as being the most pitiable thing in any church, it seems to me to be as clear as that two and two make four that there must be, as long as we remain within the limits of this portion of the Catholic Church, obedience yielded to its authorities not only as to the authorities of the Church of England but because they are in this portion of the Church the recognized authorities of the Catholic Church. With this point then made clear before me I pass on to another. Let me say I am not arguing, I am merely stating my own position. There are two things which we have had spoken of continually to-day. May I put them in the figurative language of the Bible, the apples of gold in the basket of silver. No National Church can touch the apples of gold. It cannot touch the faith, it cannot make or unmake the Sacraments, it cannot make or unmake a divinely commissioned ministry. But when I pass from that which belongs to the apples of gold to the basket of silver in which they are enshrined it seems to me as a matter of unquestionable history that these have varied in different portions of the Church in the same age and from time to time. Indeed they must vary if the position of Father Kelly is true, that it is life that forms custom according to the conditions either of the nation at a given time or according to the changing conditions of Christian life ; and that it is within the power, the province of any portion of the Church, to legislate as to all these things which were gathered round ceremonial and which have no essential connexion with the great verities that they enshrine. With this view before me then one thing is clear. Allusion has been made, not so much as might have been, to what

is the one great difficulty that we are face to face with now. It is that the ritual of the Church is a living thing. It is hopeless for us to be able to keep the Church conformed, as it seems to me, in every detail to the ritual of 1662. It is still more difficult to conform it to the ritual of 1549; or, if some of my friends will pardon me, to the ritual of 1548. A living church wants a living voice and what lies at the bottom of the whole difficulty of the Church of England is this, her want of Synodical authority. Until this Synodical authority is ours—and I at least would not shrink from any price, even if need be the price of disestablishment, for its recovery—until that voice is ours surely our wisdom is to bear the cross of our present condition and, remembering that God is never the author of "Akatastasia" but of peace, to yield though it may be under painful limitations obedience to the law of the Church as it is authoritatively interpreted to-day.

The Rev. V. S. S. Coles (Principal of Pusey House): Many of us, Mr. Dean, would wish to say nothing after Canon Body has spoken because we owe to him what we owe to nobody else in the world, but I think he would wish me, and I think you would wish me to say what was in my mind before he rose. No reference has been made I think to-day to the difference between an undivided and a divided Christendom. I suppose it is the case, is it not, that when we are thinking about the formal *de iure* position of a national or particular church, we are largely going back to authorities in the undivided Church, and if an unlearned person may express his impressions—and that is rather what a great many of us have to do in a large part of our life—I suppose that in the undivided Church, before the separation of East and West, all authority was exercised and accepted with the consciousness of the unity of the Church behind it. The little I have read of St. Augustine against the Donatists, where he speaks about the "one flock" over and over again, and all that Archbishop Benson has taught us about St. Cyprian, would be in the

direction of showing that any authority, whether great or small, was then the representative to the person who obeyed it of the one united Catholic Church behind. It is only facing facts to say that this cannot be true in the same sense practically now as it was then. And so the question arises, What is my duty to our Lord in view of the change? Well, first, I have an enormous duty to my own Bishop; the principle that comes down from the time of St. Ignatius weighs in my conscience. My own Bishop, when I had a parish, spoke to me about ritual in a fatherly way, but indirectly giving a hint rather than enjoining anything. I said, "I think if I ever had to disobey any direct monition of yours, I should place my resignation in your hands at once." But when one gets beyond one's own Bishop one has to ask, "How can I put myself as nearly as is possible in the position of a priest in the undivided Church?" Surely I must turn to the largest unity of bishops, to which obedience to the truth, and acceptance of the Providence of Our Lord, enables me to appeal. And that is a point which I do not think has been touched on. My conscience, when I get beyond my own Bishop, is bound by the consent of all the bishops with whom I am in communion. That is what I have to say in answer to my friends, who have a sort of cast iron way of saying the Church of England is only two provinces of the Catholic Church, and it is also my answer to a great deal of what has been said to-day. My conscience does not find the last word of authority in the Convocation of Canterbury, or in the union of the Convocations of Canterbury and York; but, in whatever way God allows me to get it, from the message of the whole Episcopate with which I am in communion. My own feeling of all that we are thinking of to-day leads not to a National Council, not to a change in the Convocations of Canterbury and York, but to something that shall be the counterpart of the Lambeth Conference, but with true Synodical authority. That is the point I want to emphasize.

The Rev. J. Frank Buxton: I want to express great thankfulness to Mr. Darwell Stone for the distinction he drew between matters of principle and matters of detail, and the way in which he showed how one often runs up into the other. The other day, when one of my parishioners to my sorrow turned papist, the ground of so doing was expressed in this way, that St. Augustine said it was better to be in communion with the whole Church than the Church of one's own country, when it had separated itself from the Church at large. It is obvious that in using such a saying of St. Augustine, the person who spoke had not taken at all into consideration the differences of the circumstances of the Church in St. Augustine's age and ours. St. Augustine was speaking from the point of view of the condition of the Church in which the action of the Holy Spirit would be unfettered. It is not so now. The face of the Church is too deeply scored and marked by her outward divisions to allow of the action of the Holy Ghost to go forth in the same clear and positive way as it could in those days. Though the underlying unity is unimpaired, its external manifestation is a different thing. At the same time nothing weighs more strongly on my mind and heart than the necessity of loyalty to the Holy Ghost. I think that, in the perversions to Rome, the saddest part of the matter is the denial of the work of the Holy Ghost in preserving the Catholic Constitution of the Church of England through centuries of unparalleled danger. And when we urge that upon people inclined to turn papist, it is equally necessary to look at home, and see how from our own point of view it is most necessary to be loyal to the Holy Ghost. For we believe the Church to be the Body of Christ, informed and dwelt in and taught by the Holy Ghost, and we must expect, if imperfectly, yet in some real way to receive the abiding message of the Holy Ghost. Mr. Darwell Stone brought forward that reference to the Epistle of St. Augustine to Januarius which had been much in my mind. The saint said that a certain matter

had "seemed good to the Holy Ghost," and in that is surely the principle which is to guide us, when we think of these matters and try to settle what our conduct is to be. The Holy Ghost has spoken to the Catholic Church, especially in the time when it was undivided, and it is far more easy to see what the principles of the Holy Ghost were in those days than now. When something has been spoken of in a positive way, we can accept it, and we are on dangerous ground if we begin to think it can be touched, changed, or altered by a small body of Christians in a small corner of the earth; for though the Anglican communion is very big now, it was very small at the time of what we call the Reformation. But though the appealing body was small, it is undoubted that the principles that underlay the Reformation were those of an appeal to the undivided Church. I feel it would be difficult to put one's name to any kind of resolution, and so far nothing has been put forward shadowing a resolution to which one could readily put one's name. We might perhaps invent a formula in this room to express what we mean on the subject, what we who are gathered together may mean, but it would be misunderstood the moment it got beyond these walls, and it would afford grounds of demands upon us that we could not yield to; while if we say what we do not exactly mean, we may be accused of being disloyal to what we have professed. If we are to have any resolution on these subjects to-morrow it will be a matter of the gravest and the most anxious consideration as to how it is expressed. We have had enough of being tied to declarations and that kind of thing. Ecclesiastical formulae on the part of a small body of the clergy are dangerous things. If we are to have a resolution to-morrow, I pray that there may be the greatest guidance and caution exercised. We come back to the principle always in my mind when these controversies come up. When we receive monitions from bishops, and bishops deliberate and come to conclusions, it seems to me that there is too often an absence

of appeal to the Holy Ghost, and an extraordinary want of conviction that the Church Catholic, of which the Church of England is part, is a living body, guided by the Holy Ghost at all times, and that when the Church has spoken in an authoritative manner we cannot put her utterance on one side and change from time to time. There is the difficulty which I think that Mr. Darwell Stone voiced with an aptness and depth that were most valuable, showing that when we are called upon to alter, or when it is suggested we should alter, this or that—that the Church of England could or might alter such a thing, or might in the future alter it—we have to be extremely careful whether we are not infringing something which the Holy Ghost has impressed on the conscience of the Church, as to the way in which her life and reverence is to be manifested. And therefore some of the things said to-day seem to me to be full of peril lest we should forget that great thing and be disloyal to the Holy Spirit. As regards what is called a National Council, or the union of the Convocations of Canterbury and York—it is obvious that if the bishops should begin to call upon us through these new methods of machinery to believe or to think or to act about Sacraments, or ministry, or worship, or doctrine, differently from what we know the living Church put forth in the undivided times, it is impossible to say that the Church of England could have any right to call upon us to take up such a position. Our Right Rev. Fathers in God would find on the part of many more a true and conscientious readiness to obey, if we could truly feel that they themselves knew what they were doing, and did appeal truly to the witness of the Holy Ghost through His undivided Church as to principle and practice in essential matters. But we have found difficulties so often, because rightly or wrongly it appeared to us that the bishops were asking things not on that kind of ground, and that so the appeal to the Holy Ghost was lost sight of. And this brings me again to express the great need of caution as to any resolution or manifesto that may go forth from us.

The Rev. E. C. Baldwin: Mr. Dean and Brothers; I am greatly touched by what Mr. Buxton has said, and also by the admirable statement of Mr. Darwell Stone, but I am unfortunately a country parson and I have practical difficulties in my parish. I have not the remotest doubt myself from the little I know of history that I am loyal to the Holy Spirit when I am loyal to the English Church, because I believe the English Church is the Catholic Church by representation to those who are under her jurisdiction, and that she is informed by the Holy Ghost. At the same time there are many difficulties. I think some of the past speakers have rather overstated, if I may be allowed to say so, the question of fasting Communion. The Catholic Church by representation in this country, so far as I know, has not since the Reformation touched the question at all. I do not speak about it absolutely, but at the same time I do not think it can be stated that it has been a universal custom of the Church in all ages and all countries without exception. That is to say some of my friends amongst the rigorists hold there is no exception at all. You remember the words of Thomas Aquinas: "The infirm must be communicated, even after food." Everybody knows what took place in the thirteenth Session of the Council of Constance, which practically deposed two Popes and appointed a third, and which claimed authority over the whole Church. That Council says exactly the same. Now, of course, I am most particular myself in such matters, and I think it would be dreadful if we should be thought to be lax in an assembly of bishops and priests like this. But as a practical parish clergyman I know there are great difficulties with infirm and very aged persons, and many years ago when I studied the question, I came to the conclusion that the bishop of a diocese has, upon canonical principles, a right of dispensation; and I confess a great many years ago when I was advised by an eminent physician that it was injurious to my health, I did obtain permission from my bishop. But when my health was better I found I was able to keep

the rule of the Church. But are we to insist upon it? Are we to refuse Communion to those who are not fasting? We all know the difference between material and formal sin, and I do not think we ought to hurt people's consciences by putting before them very deep rules of obligation which they do not know. I think the Church should speak about it plainly one way or another to candidates for Confirmation, and in cases of people who know what the rule is, I have found sometimes an aged rustic labourer cannot come to early celebration and does so at noon, but when I have asked the question, it has often been the answer, "Yes, it is more convenient, but he does not take any food before he comes." It does not follow because they come to late Communion they are not fasting. As regards "It seemeth good to the Holy Ghost," I think St. Augustine simply means it seemed good to the Church of the day. We know the apostles themselves use the same expression when commanding to abstain from things strangled and from blood. And yet, of course, though it is rigorously observed in the East, and though the Ecumenical Councils have accepted it, it is hardly ever observed by individuals except those who are thought eccentric in the West. I think we ought to be strict with ourselves and most reverent with the principles, but, I think, we may overstrain them. I think we ought to remember that charity does overrule ecclesiastical precepts. There is a custom and there was a custom, a universal custom I believe, and historians will correct me if I am wrong, and that is the absolute forbidding of the clergy to marry. In all ages and throughout the whole world, and unless I am mistaken, over and over again in Ecumenical Canons marriage after ordination was forbidden, and yet the Catholic Church by representation in England has overruled that matter of discipline. Sometimes it is a difficult point. I ask my extreme friends, "How do you get over that?" Some of them are married themselves. If I might make one general remark as regards matter of detail, I have always been a frightfully strict Rubrician, and

it has worried me to feel the difficulty of keeping all the Rubrics. I have talked it over with my bishop. Take that case alluded to by one of the speakers, is it lawful for an individual parish priest to refuse Communion to any person who has not sent in his name the day before? If you try that with agricultural labourers you will lessen the number of communicants. Some of them cannot write and would be too nervous. And although I grant it is an excellent rule, I think if it is to be revived it ought to come from above and not from below. The real root of the whole matter is this. We want real synodical declarations. We want, and I have prayed for it for a quarter of a century, a revival of discipline, not merely for the clergy but also for the laity.

The Rev. F. Lewis Donaldson: I certainly share the desire that has been widely expressed that we shall part without a definition of policy. One remembers the saying that whatever definition you make, truth is greater than your definition, and one thing reminds me forcibly of this, namely, that, although I have listened with fixed attention from the first minute of our meeting till now, and have heard much about the national Church, I have heard little indeed about that which bears very closely indeed upon the problem—the nation itself. It does seem to me that this is a point very material to one's discussion this evening. The Church, as we have been told to-day, is the mission sent by our Lord to the nations, and it comes to the nation to find itself fronting that which is, independently of the Church, a sphere of the operation of the Holy Spirit. And therefore the nation cannot be ignored in any discussion like this. The genius of the nation will affect the Church's mission to it. The national genius, with the stereotyped habits of character in the nation, and the long processes which have gone before to make it what it is, all this is the concern of the Church in determining certain action or approving certain customs. And that is the part, the national part, which I have risen to emphasize. The sacred

ness of the nation, which is in large measure witnessed by the consecration or quasi-consecration of the King, is a thing we must consider; and it is this understanding of the nation which will inevitably create a desire for divergence in various rites and ceremonies in the Church, a divergence which ultimately must be allowed. I believe that is the reason for the failure of England to govern Ireland, not because she did not want to do justice, but because she could not comprehend as the Church did the genius of the people with which she had to deal. What is it in ecclesiastical affairs which we are afraid of? What we dread is that our Ecumenical friends shall stereotype the outward symbolism of religion, I almost prefer to say the sacramental side of religion, throughout the world. That is what we fear, and looking at this morning's paper I came across a thing which will illustrate what I mean: —"The Right of Election: Rome. The chapters of eleven English Catholic dioceses have appealed to the Propaganda against the infringement by English bishops of what the canons call their right to elect bishops to vacant sees. It was the progress of this movement among their clergy that first induced the bishops to abstain from participating in the election in the diocese of Southwark. The Propaganda has replied to the chapters that neither these bodies or bishops have the right of election, but simply the privilege of indicating candidates, which privilege could be suppressed as has been done in other countries." Now carry that idea into the sphere of rites and ceremonies, and I believe I am within the range of truth when I say Rome is now beginning to legislate even about the length, size, and pattern of chasubles! She is certainly getting into considerable difficulty in France through conflict with the national spirit. I am not here concerned with the merely political part; but just as Rome comes into conflict with the national spirit in things purely social, so if the Church stereotypes rites and ceremonies, she is likely to come into conflict with the national spirit in things religious. You cannot separate the two. This

is really the thing with which we have to deal. It is not a question of one truth against another, but the co-operation of two truths, Ecumenical and local. And therefore I will end by saying that the national side of our subject has to be more seriously entertained by a Conference such as this than has been the case this afternoon, though I believe in your paper, Mr. Dean, and in Dr. Collins's paper, it was seriously touched. Such a consideration will issue, I believe, in our coming to the only solution of the difficulty; that whatever be the marks, and there will be marks, which are universal in the Church—the breaking of bread, the use of water in baptism—when you have said all this and agreed on them, there will remain a sphere in which there must be liberty. And until we get real synodical action we cannot say what that sphere will be, and how far the liberty should extend.

Dr. Whiteford, Salisbury: Mr. Dean, you expressed a wish that speakers should refer to principles and their illustration, but I trust you will not rule me out of order if I venture to rise to say – I am sure members of this Conference will be glad to hear it—how deeply interested some at least of our more sober-minded candidates for Holy Orders are in this movement which we are sharing. It is not so long ago that some students at Salisbury Theological College invited me to give an address on the prospects of our work and this movement. I was glad to do so one Sunday evening. After that address one or two came to me and said that one of the gravest difficulties they had had in facing the responsibility of making the choice under God of Holy Orders as their profession was the lack of union; and perhaps one must also add, the lack of obedience, especially among the clergy of the Church of England, is a very serious deterrent to Holy Orders, and I wish this Conference would lay it seriously to heart. All sorts of other deterrents may exist, but this is indeed a very serious matter, and has been alluded to me personally by serious and sober-minded students, and therefore I am exceedingly anxious that reports of

this Conference should be allowed to be published; and I am also exceedingly anxious when they are published they shall exhibit not only the learning contributed by those who have read papers, but also suggest the spirit in which we are met and hope to conduct this movement.

The Rev. A. M. Pickering: I wish to point out that our agenda only refers to questions of practice. In Professor Collins's paper this morning a statement was made that there was no necessary connexion between practice and doctrine. I should have liked this evening to have heard that statement criticized more than has been the case. What we are striving after is to get at more uniformity of practice, but it seems to me that we are starting at the wrong end, because all Church people do not accept the faith as we believe it, and therefore of course there will be no uniformity in practice. What I think we should all maintain, is, that while we value these laudable practices, and while we are anxious to have permission for certain rites and ceremonies because they are an expression of a principle, in a word, of a doctrine, yet it is impossible to have variation in doctrine; and that if practice is an expression of doctrine we ought to contend for more uniformity of ritual in our services. Are we to accept this statement that a principle or a doctrine is so related to a practice that we are to contend as earnestly for the practice as we should for the doctrine? If that be the case it seems to me we shall be compelled to begin by seeing that the faith is acknowledged and confessed in its fullness by all parties in our Church. I think those who differ from this Conference would be chiefly those who object to the practices which we should like to have, because if we said at once "there is nothing at all in this practice" they would say "you can do it to please yourself." It is because they believe, and, I think, rightly believe, that practice is valued, not merely because it is a universal practice, but because it embodies a principle, embodies the faith which we maintain has been always

believed by the Church and yet which they do not accept, therefore they object and criticize our action. What I would say in conclusion is this. It is equally important, if not more important, that the fullness of the faith should be taught and accepted, and then there will be a more ready recognition of the fullness of the practice of the Catholic Church.

The DEAN OF CHRIST CHURCH: I should like to say one or two things about part of my paper somewhat pointedly referred to by one or two speakers. No doubt, partly from obscurity of mental habit and partly also from great compression in the paper I read, I have failed in part to convey my meaning. I intended rather to develop the outlines of what seems to me a sort of hierarchy of things on which a society like the Church may be clearly expected to deal. I thought I did make it plain that as regards the Creed the whole constitution of the Church makes it impossible we should accept any essential variation; because we are not in a position of speculation in regard to the truths which are in the Creed, but in the position of witnesses to truth which the world never succeeded in discovering before, and we have no reason to think apart from the revelation of our Lord that it would have succeeded in discovering since. The authority of the Church with regard to the Creed is absolute. I mentioned the Sacraments. I do not think, for instance, a variation in the elements of the Eucharist or of Baptism could be accepted at all. These are laid down by our Lord, and I do not think the Church has any authority to vary from them. Then next to that I should put those forms of service which for various reasons should be kept as defined as possible. I do not think, for instance, that any organized society could possibly act in public without some recognized forms. This, I think, would meet the objection that was based on the parallel between the rule of fasting Communion, and the use of vestments and other things. These are distinguished from the rule of fasting by the fact that they are attached to the public worship of

the Church, and whatever authority does govern the public worship of the Church would govern them. Then I come to the point I did take, viz. fasting Communion. I took it partly because it is a matter of interest and great importance. I have not got the paper here, but I should like to remind you I think I said it was a practice which it was well to retain. I did not say it was a practice which it would be well to throw over, and I urged also that in all these matters men should act as far as possible together. But the reason why I put it in the position I did is because I think that we have always to remember that the Church aims, not at positive precepts, but at character, and that is why I said that in elementary dioceses where everybody is in a low condition of education and development it might be necessary to be more strict on a point like this than where people are in a condition to rule more completely their whole spiritual life for themselves. I think, on the whole, matters of that character are very largely, and must be increasingly, matters on which individuals have an important voice, and, although I cannot abide any form of individualism as a principle, I shall be prepared to say—although I am not denying the authority of the Church to define these things if it likes—it would not be well advised, under certain conditions of its being, to define them too precisely. I am sorry if I have given pain by speaking, as some seem to have thought somewhat indifferently on a thing they think is associated with principles of reverence.

The Conference then adjourned.

THE SECOND DAY—WEDNESDAY.

The Vicar of Leeds, Dr. Gibson, was voted to the Chair when the Conference met on Wednesday, December 13, in the absence of the Dean of Christ Church, and after prayer called upon the Rev. Darwell Stone for his paper. The Dean arrived after the reading of the second paper.

THE AUTHORITY OF BISHOPS AND THE RIGHTS OF PRESBYTERS IN THE PRIMITIVE CHURCH.

In considering the authority of bishops and the rights of presbyters in the primitive Church, it is necessary to ask what light is thrown on the subject by the New Testament, to examine the claims made for episcopal authority by later writers and instances of the exercise of it, to see in what relation it stood to other elements in the constitution of the Church.

I.

The evidence from the New Testament must be taken first. It may be convenient to put aside questions of special gifts and such matters as the position of the prophets, and for the moment to look only at instances which may fairly be regarded as parallel to acts of governing in the subsequent history of the Church. The ordinary rule of an apostle as shown in the First Epistle to the Corinthians and the Pastoral Epistles, the

governing authority of an apostolic delegate as shown in the Pastoral Epistles may be taken as such instances. In the First Epistle to the Corinthians St. Paul gives decisions and makes statements on very different matters. On a point of moral conduct he writes: "I verily . . . have already . . . judged him that hath so wrought this thing" (v. 3). On questions of the marriage law he says: "This I say by way of permission, not of commandment" (vii. 6); "the brother or the sister is not under bondage in such cases" (vii. 15); "if the husband be dead, she is free to be married to whom she will; only in the Lord" (vii. 39). As to matters of public worship he says: "The rest will I set in order whensoever I come" (xi. 34). About doctrinal facts of supreme importance he writes: "I make known unto you"; "I preached unto you"; "I delivered unto you"; "I tell you" (xv. 1, 2, 3, 51). In the Epistles to St. Timothy and St. Titus St. Paul lays down what sorts of persons are to be chosen as clergy and deaconesses and widows, and what are to be the methods of administering discipline (1 Tim. iii. 1–13, v. 9–11, 19; Tit. i. 5–9, iii. 10, 11).

It is clearly implied in the Pastoral Epistles

that the apostolic delegates, St. Timothy and St. Titus, were rulers of the Church. The work of St. Timothy includes a duty to "charge certain men not to teach a different doctrine, neither to give heed to fables and endless genealogies" (1 Tim. i. 3, 4). While he has instructions from St. Paul as to those who are fitted to hold sacred offices, the actual selection and choice are in his hands (1 Tim. iii. 1–13, v. 9–11, 22 (?)). The administration of discipline also, though here again he is instructed by St. Paul, is his work (1 Tim. v. 1, 19, 22 (?)). Similarly it is the task of St. Titus to "set in order the things that were wanting," and, as part of this, to "appoint presbyters in every city"; and to maintain the discipline of the Church (Tit. i. 5–9, iii. 10, 11).

That which is prominent in the First Epistles to the Corinthians and the Pastoral Epistles is the authority of the apostle or the apostolic delegate. But there are not wanting in these Epistles slight indications that this authority was not exercised wholly independently of others. It is clear that the action of St. Paul was the instrument by means of which St. Timothy had received the gifts of his office. "The gift of God,"

St. Paul writes, "which is in thee through the laying on of my hands" (2 Tim. i. 6). It is clear also that a formal act of solemn assent on the part of the presbyters had accompanied what St. Paul did. "The gift," he writes in another place, "that is in thee, which was given thee by prophecy, with the laying on of the hands of the presbytery" (1 Tim. iv. 14). The judgement on the incestuous Corinthian, while passed by the apostle, was not quite apart from the action of the Church at Corinth. "In the name of our Lord Jesus," St. Paul writes, "ye being gathered together, and my spirit, with the power of our Lord Jesus, to deliver such a one unto Satan" (1 Cor. v. 4, 5). "In the Name of our Lord," "with the power of our Lord," "ye being gathered together"—each of the three phrases recalls the promise of Christ to the judicial assemblies of the Christian Church. "If he refuse to hear them, tell it unto the church: and if he refuse to hear the church also, let him be unto thee as the Gentile and the publican. Verily I say unto you, What things soever ye shall bind on earth shall be bound in heaven: and what things soever ye shall loose on earth shall be loosed in heaven.

Again I say unto you, that if two of you shall agree on earth as touching anything that they shall ask, it shall be done for them of my Father which is in heaven. For where two or three are gathered together in my name, there am I in the midst of them" (St. Matt. xviii. 17–20).

In the Acts the authority of the apostle is not exercised in isolation. At the Council of Jerusalem the presbyters as well as the apostles were gathered together to consider the question of circumcision: the letter conveying the decisions of the Council ran in the name of the apostles and presbyters; and the decisions are described as "the decrees which had been ordained by the apostles and presbyters."

We should look in vain in the New Testament for a complete system of Church government. The gifts to the apostles, the gifts to the Church, are there plainly recorded. For the details of their exercise we must have recourse to the later history which shows how the Church, under the guidance of the Holy Ghost, gave effect to the principles involved in the deposit of faith and practice which our Lord committed to the apostles. Yet an attentive study of the Acts

and the Epistles allows us to see the authority of the apostles and apostolic delegates, to whom in later times the bishops corresponded, but not an authority altogether isolated or to be arbitrarily used.

II.

From the beginning of the second century onwards there is very clear and very abundant testimony as to the authority of the bishops.

(1) The bishop is represented as the source of jurisdiction as regards the administration of the sacraments. "Let no man," writes St. Ignatius, "do aught of things pertaining to the Church apart from the bishop. Let that be held a valid Eucharist which is under the bishop or one to whom he shall have committed it. . . . It is not lawful apart from the bishop either to baptize or to hold a love-feast" (*Ad Smyrn.* 8). Tertullian ascribes the right (*ius*) to give baptism to the bishop, and maintains that the authority which other ministers have to administer this sacrament is derived from him (*De Bapt.* 17). In very similar terms St. Jerome says that neither presbyter nor deacon has the right (*ius*) to baptize without the authority of the bishop (*Adv. Luciferianos*, 9). So again the un-

known author of the treatise *De Sacramentis*, which has sometimes been ascribed to St. Ambrose, explains that, though the presbyters baptize, yet the source of their ministration (*exordium ministerii*) is in the bishop (iii. 4). A council held in 755 at the instance of Pipin, the king of France, gave expression to the usual law of the primitive Church when it forbade a presbyter to baptize or celebrate Mass without the authority of the bishop of the diocese (*Conc. Vern.* canon 8).

(2) The bishop is described as controlling the discipline of the Church. To "obey the bishop," "to be subject to the bishop as to Jesus Christ," to "follow the bishop as Jesus Christ followed the Father," are among the marks of Catholic Christians which St. Ignatius records (*Ad Eph.* 20; *Ad Tral.* 2; *Ad Smyrn.* 8). St. Cyprian declares with great emphasis that the bishop is judge in the Church in the place of Christ (*vice Christi*) (*Ep.* lix. 5). Authority after authority, of which it may be sufficient to mention the fifth canon of Nicaea and the fifty-fifth canon of the Gallican document which goes by the name of the Canons of the Fourth Council of Carthage, speak of the bishop as possessing the right to excommunicate Christians. The

letters of St. Augustine and St. Leo are full of incidental touches which show that the ordinary administration of the discipline of the Church was in the bishop's hands.

(3) The bishop was regarded as the teacher of the Church. To instruct in the faith, to warn against error, no less than to exhort to what is right, were ordinary parts of the bishop's work. As described by St. Irenaeus, they were the guardians of the tradition handed down by the apostles, the possessors of the gift of truth bestowed by the Holy Ghost, and the organ for the utterance of the voice of the Church (III. iii. 1–4, iv. 1; IV. xxvi. 2, xxxiii. 8; V. xx. 1).

The bishop held this authoritative position by divine appointment. He received his office by means of his spiritual descent from the apostles; the apostles had received theirs by the direct gift of Christ.

III.

The office of the bishop, with all its authority, was a constitutional position, not an arbitrary autocracy. In the exercise of his office he was limited both by the past and by the present. He was limited by the past because it was his task to give effect to the

teaching of Holy Scripture and the tradition of the Church. "To collect the sense of the Scriptures" is the happy phrase by which St. Athanasius describes the work of the bishops assembled in Council at Nicaea (*De Decr. Nic. Syn.* 20). "What our fathers have delivered" is the same great divine's description of true doctrine (op. cit. 4). "The faith of the fathers," "the faith of the apostles," "the traditions which we have received," "the laws of the fathers," "the traditions of the apostles and the fathers," are phrases which occur over and over again in the proceedings of councils of high authority to denote their own affirmations or the writings of individual bishops approved by them (e.g. *Eph. in* Hard. i. 1505; *Chalc. in* Hard. ii. 305; ii. 456; *Const.* of 553 *in* Hard. iii. 173, 189; *Const.* of 680–1 *in* Hard. iii. 1333; *Nic.* of 787 *in* Hard. iv. 469, 473). The whole tenor of Christian writings shows that what was thus required in the case of the collective judgement of bishops assembled in council held good also in the case of the decisions of individuals.

The bishop, moreover, was limited by the present. He could not altogether isolate himself either from those whom he ruled or from

those who shared his office of ruler. He was divinely appointed to rule and teach his flock; he was also the representative of his diocese. His decisions were his own, and the responsibility for them was his. Before he made them it was his duty to know the mind of his people and of his clergy in particular; after they were made they were subject to the revision of groups of bishops and ultimately of the whole body of the episcopate.

The letters of St. Ignatius place the presbyters in very close relation to the bishop. "That ye may obey the bishop and the presbytery" are his words to the Ephesians (20). To the Magnesians he writes: "Be ye zealous to do all things in godly concord, the bishop presiding after the likeness of God and the presbyters after the likeness of the council of the apostles, with the deacons also who are most dear to me, having been entrusted with the diaconate of Jesus Christ"; "neither do ye anything without the bishop and the presbyters" (6, 7). To the Trallians he writes: "Let all men respect the deacons as Jesus Christ, even as they should respect the bishop as being a type of the Father and the presbyters as the council of God and as the college of apostles" (3). To the Philadel-

phians he writes: "There is one bishop, together with the presbytery and the deacons" (4). To the Smyrnaeans he writes: "Do ye all follow your bishop, as Jesus Christ followed the Father, and the presbytery as the apostles" (8). In other expressions he links the presbyters and deacons closely with the bishop. St. Cyprian's resolve to do nothing in the administration of his diocese without seeking the advice of the presbyters and deacons and the assent of the laity is well known (*Ep.* xiv. 4). The fourth-century commentary on the First Epistle to St. Timothy, which was cited under the name of St. Ambrose from the ninth century onwards, affirms that nothing was done in the Church without the advice of the presbyters (*seniores*) (1 Tim. v. 1). Whatever criticisms may rightly be passed on St. Jerome's view of the original identity of the presbyter and the bishop, his statements as to the common advice of the presbyters in the rule of the Church can hardly be altogether set aside (e.g. *In Tit.* i. 5). The writer of the Apostolic Constitutions describes the presbyters as "the counsellors of the bishop and the crown of the Church," "the council (*συνέδριον*) and senate (*βουλή*) of the Church" (ii. 28).

It is in accordance with the statements which have been quoted that the presbyters were a constituent part of the diocesan synod. Presbyters were members of the council which tried and excommunicated Noetus (*Ep.* lvii. 1). When Maximus and others who had sided with Novatian asked for readmission to Communion in the Church, Pope Cornelius summoned the council of the presbyters to consider the matter (*Inter Cyp. Ep.* xlix. 2). Alexander, Bishop of Alexandria, after vainly trying to influence Arius in a personal interview, summoned a council of the presbyters to consider his case (*Epiph.* lxix. 3). The twenty-third canon of the so-called Fourth Council of Carthage, which forbids a bishop to hear a case without the presence of his clergy, and declares that if he disregards this rule his judgement is invalid, represents the ordinary law of the Church, and passed into the general Western canon law (II. xv. 7 (6)).

These are some of the instances which show the truth of Bingham's statement, "Though the bishop was prince and head of this ecclesiastical senate, and nothing could regularly be done without him, yet neither did he ordinarily do any public act relating to government and discipline of the Church

without their advice and assistance" (*Antiq.* II. xix. 7).

The position thus held by the presbyters in the diocesan synod would secure that, when the bishop attended the provincial or larger synod as the representative and spokesman of his diocese as well as the divinely-appointed ruler of the Church, he would go well informed as to the opinons and wishes of his presbyters. But, while the relation of the presbyters themselves to the provincial synod is involved in considerable doubt, it is clear that they were not altogether excluded. In the large synod held under St. Cyprian at Carthage in 256 the votes recorded are those of the eighty-seven bishops who appear to have been the constituent members of the council; but at this, as at other provincial and larger synods of the same locality and period, presbyters were present to help and advise the bishops (*Sent. Episc.* pref.; cf. *Ep.* i. 1; xix. 2; lxxi. 1). The Asiatic synods held at Antioch in 365 and 369 were composed of bishops; but, on the occasion of the first, presbyters and deacons assembled in Antioch, and presumably were present at the deliberations, and at the second, a prominent part in discussion was taken by the presbyter

Malchion (Eus. *H. E.* vii. 28, 29). The synod of Elvira of 305 consisted of nineteen or more bishops, and the decisions were their work; presbyters were present, and had their place distinct from the deacons and laity (Hard. i. 250, 251). At the Council of Arles in 314 the summons addressed to the bishops by the Emperor Constantine directed each of them to bring with him two presbyters (Hard. i. 262). The first Council of Toledo in 400 was composed of bishops; but the same statement is made as to the presence of the presbyters with a place distinct from the deacons and the laity as in the case of Elvira (Hard. i. 989). Many other instances might be given.

In most cases the decrees of councils were signed only by the bishops, or by the bishops and those presbyters who were there as the representatives of absent bishops; but to this there are exceptions. At Arles in 314 presbyters and deacons signed after the name of their own bishop (Hard. i. 266–268); and at Elvira in 305 the presbyters signed in a group by themselves after all the signatures of the bishops (Hard. i. 249, 250).

The presbyter, then, had his place in the diocesan synod as a constituent member as a matter of right. As to the larger synods, it

seems probable that English writers who assert that presbyters were constituent members of these also as a matter of right have been led astray by a desire to prove the primitive character of the English convocations; but it may at the least be said that care was often taken that presbyters as attendants and assistants of bishops had an opportunity of being heard in them. In some of the Roman synods of the end of the fifth and beginning of the sixth century presbyters and deacons, and in some of the Spanish synods of the seventh century abbots, held a special position; and these facts had important consequences in the period later than that with which this paper is concerned.

The authority of the bishop was further limited by his relation to the rest of the episcopate. At the end of the fourth century African canons required a bishop, in judging the case of a presbyter, to associate with himself five neighbouring bishops (Hefele, ii. 397, 398). The fifth canon of Nicaea and the sixth canon of the Council of Antioch of 341 provided for the revision of the disciplinary acts of a bishop by the provincial synod. In the case of Arius the local council was followed by a synod of one hundred bishops,

and that again by the Council of Nicaea. The whole history of the provincial and general councils of the Church indicates that, while the bishop is divinely appointed as a consecrated person, and as the representative of his diocese to rule and to teach, everything which he does, if it is challenged, holds good only until it has received the consideration of that larger body of which he forms a part. To read through the canons of Nicaea is to find the wide scope, as regards details of discipline, of the synod which had met to affirm a fundamental verity of the Christian faith, and was destined to become the first Oecumenical Council. The mind of the primitive Church is voiced in the famous sentence of St. Cyprian, which Archbishop Benson paraphrased, "This tangible bond of the Church's unity is her one united episcopate, an apostleship universal yet only one—the authority of every bishop perfect in itself and independent, yet not forming with all the others a mere agglomeration of powers, but being a tenure upon a totality, like that of a shareholder in some joint property" (Benson, *Cyprian*, p. 182). It follows that, as the bishop, when he acts constitutionally, is under at the least a moral obligation to take counsel with those whom he

rules before he gives his decisions, so also his decisions, in any healthy state of the Church, are subject to an appeal from the diocese to the province, from the province to a group of provinces, from this larger assembly to the united episcopate of the Church. There follows further the tentative and even maimed character of any decision which circumstances have hindered from passing through the whole course of the appeal.

THE AUTHORITY OF THE BISHOP IN THE ROMAN AND EASTERN CHURCHES.

THE subject of the paper which I have been asked to supply is "The Authority of the Bishop in the Roman and Eastern Churches."

The authority of the bishop rests in the last resort upon the power of excommunication, which has been regarded as inherent in his office from the time of Ignatius, if not before. The fifth canon of Nicaea allowed an appeal to the provincial synod, and the bishop's sentence might be reversed by the comprovincial bishops, if he appeared to have been actuated by improper motives (by *μικροψυχία*, want of understanding; *φιλονεικία*, party spirit; or *ἀηδία*, personal dislike). But, if the person excommunicated had manifestly disobeyed his bishop (*ὁμολογουμένως προσκεκρουκώς*) the sentence would be confirmed. The facts will be found fully and clearly set out in Mr. Haddan's articles on *Bishop* and *Appeal* in the *D. C. A.*

Generally the bishop appears to have acted

of his own mere motion. In cases involving new, doubtful, undecided or unusually important points of faith or discipline, the bishop would call a synod to his aid. On some occasions priests and even laymen appear to have been present at such synods, but in what precise capacity is doubtful. But the responsibility lay entirely upon the bishop. Hence he is exhorted in the ancient *Didascalia* to "judge with confidence as God," remembering that to bishops it was said in the Gospel, "Whatsoever ye shall bind upon earth shall be bound also in heaven" (*Verona Fragments*, p. 19).

The Nicene rule still holds good. Since that time Canon Law has been immensely developed and dogmas have been multiplied and defined. Thus, though the power of the bishop has not been altered, the general line of its exercise has been fixed, and, on the other hand, the right of appeal has very largely lost its value. Almost every possible offence of faith or discipline being well understood beforehand, hardly any ground of appeal remains, unless it can be alleged that the bishop has been guided by personal motives.

I have not been able to ascertain, in the limited time at my disposal, the exact course

which would be taken by an appellant in the Eastern or in the Roman Church, but the matter is of very small practical importance. The Roman rule may be found in the Decrees and Canons of the Council of Trent (see index, *Episcopus*, *Appellatio*). We may sum it up by saying that the bishop is sovereign and decides finally, except such cases as are reserved for the pope by the canons, or such as the pope is pleased by special rescript to take into his own hands (*Sess.* xxiv. cap. 20). These last include delicate and dangerous questions of the faith, such as that raised by Jansenism, the matrimonial difficulties of great people, such as the divorce of Henry VIII, and important disputes about ecclesiastical rights or property. But an ordinary priest or deacon would hardly succeed in getting beyond his bishop.

In Russia the Church is governed by the Tsar through the Holy Synod, which is partly ecclesiastical and partly lay. In Greece there is a similar arrangement; the governing Synod is composed of a president, four bishops, a secretary, a royal commissioner and supernumerary members. Here also there is a lay element, but Neale does not say how many members of the Synod are, or may be, lay-

men. At Constantinople the rule would no doubt be the same, except for the accidental circumstance that the Sultan is a Mahometan. Since the days of Constantine the Greeks have never feared to recognize the supremacy of the sovereign in the same sense in which we admit it ourselves. The Eastern Church, it may be noticed, though one, is really a federation of national churches.

But in the East also there is apparently no appeal against the bishop in any ordinary case. The Ἐκκλησιαστικὸν Δίκαιον—a widely-used and respectable manual—says: "Every cleric has the duty and obligation to keep to the prayers, hymns, liturgies and services which have been ordained by the Church, and to perform them on the appointed days, and at the appointed hours, with due order and exactness." Neglect of this, or of any other canonical duty, would be dealt with by the ordinary, and the dilemma presented to the offender is summed up in the words—ἢ παυσάσθω ἢ καθαιρείσθω, "let him conform or be deposed."

It is worth notice that the doctrine of the Royal Supremacy was held in France, quite as really as in England or Russia, down to the time of the Revolution (see a little treatise

by the Rev. T. I. Ball, Provost of Cumbrae, Church Hist. Soc., No. 69). It was the Concordat of Napoleon that destroyed Gallicanism and put the French clergy absolutely in the power of the bishops and the pope. The Concordat was the logical result of the disappearance of the *Regale* and of the spoliation of the Church.

The subjection of the French clergy to episcopal authority has not saved them from harassment by the secular power. But disendowment, carrying with it the loss of freehold, introduces a new form of lay control, inasmuch as it makes the clergy largely or altogether dependent on alms. The consequences of this dependence are felt in the Eastern Church; and in England a Roman Catholic bishop could not support a priest who was unacceptable to his congregation. The same state of things must exist in France, in Ireland, and elsewhere. It prevailed also in the primitive Church; and it must always greatly weaken the position of the inferior clergy.

In fine, it may be said that both in East and West the power of the bishop is theoretically absolute, but in practice has been guided or restricted, possibly in some directions en-

hanced, (1) by canon law, which has been made by the bishops themselves; (2) by royal supremacy; (3) by the necessity of conciliating lay support. The two last checks are at bottom identical, being alternative forms of the same economic law—that no church can exist without pecuniary support either in the shape of endowment or in that of voluntary offerings. Both entail a certain control by the laity. Those who escape from the one must necessarily fall under the other.

THE AUTHORITY OF BISHOPS IN THE CHURCHES OF THE ANGLICAN OBEDIENCE.

In any attempt at making an appreciation of Episcopal authority, there are advantages attaching to the consideration of its exercise under the simpler conditions which prevail (outside England) in the Churches of the Anglican obedience; where there is not the same scope for confusion of thought between the spiritual claim and the legal demand, between the authority, which is inherent in the office, and such narrower portion of it as may have been embodied in and made enforceable by civil law.

I will at once express my belief that nowhere in Christendom will a more genuine respect for "the office and work of a bishop in the Church of God" be found to exist. From the nature of the case the spiritual authority of the bishop must ever remain intact, and having the same content. But it might seem at first sight as though there were some traces of a desire to diminish or restrict

it, in the Constitutions or Canons of the Colonial Churches.

Such, however, is not really the case.

The aim has rather been to support the bishop's authority with the endorsement of a corporate recognition, or to facilitate its exercise by attaching to it such coercive jurisdiction as can be conferred by consensual compact. In some instances, e.g. in the States of *Victoria* and *Tasmania* the Civil Legislature has given legal validity to the Acts of Synod.

But ordinarily, as in *South Africa*, "the Tribunals have such jurisdiction as may be exercised in a voluntary Association, upon the footing of mutual contract."

Or, as in *New Zealand*, "a judgement has the same force as an award made in any reference to arbitration by consent, and may be made a rule of the Supreme Court."

Assent to the compact is declared by individual clergy at Ordination and at Admission to Office.

e.g. *New Zealand*: "I will exercise my ministry in due and orderly obedience to the provisions of the Constitution and of the ecclesiastical laws and regulations in force."

And a promise is given of "submission to

the authority of the General Synod and of the Synod of the diocese."

And in *Scotland* "due obedience" is promised to—

(*a*) "the Canons of this Church"; (*b*) "the judgement of the Tribunals"; (*c*) "the decisions of the ecclesiastical authorities (in all questions falling under their spiritual jurisdiction)."

I. To begin with—

The bishop's authority is specifically asserted in Canon XXIX of the *South African* Church, which recites that—

"Nothing shall affect any right in Visitation or other spiritual authority which the bishop may exercise by virtue of his office, without judicial proceedings."

And in the proviso in Letters of Institution in *New Zealand*:

"Nothing shall abridge or prevent the exercise of our spiritual authority."

Where also "Every minister who shall refuse or neglect to obey the lawful directions of the bishop, and to submit himself to his godly admonitions, being found guilty shall be either admonished by the bishop or suspended . . . till he shall have signed a declaration that he will do his duty for the future."

And throughout there is a full acceptance of the primary principle, *μηδὲν ἄνευ ἐπισκόπου.*

The bishop, it is realized, is at once the symbol and the safeguard of the Church's *unity.* Everything within the diocese is gathered to a head in him. With him rests the ultimate responsibility. In him is admitted to lie the determining voice.

This is plainly recognized alike (1) in *legislation,* and (2) in questions of *discipline.*

Thus, except in *America,* no Canons or Regulations of any kind can be passed in Synod without the formal and separate approval of the bishop.

This is a great power; but it is one the necessity of preserving which intact has been strongly pressed upon me by one of the Colonial bishops as "*for the sake of the clergy.*" (And in this my own experience fully bears him out.)

The following powers have definite Synodical endorsement.

The bishop may—

In *Scotland*: Issue forms of prayer, special psalms and lessons (subject to any restrictions of the Episcopal Synod); forbid any hymn; sanction any catechisms; admonish for non-attendance at Synod (and proceed

against for "contempt" if repeated); "reprove" for faults of demeanour, habit, or dress.

In *America*: Permit another clergyman to officiate in a parish where, on inquiry, neglect of duty is found to exist.

In *New Zealand*: Require an incumbent to resign for age or infirmity (after "inquiry").

In *Ireland*: Direct occasional prayers; control use of hymns and of prayers before and after sermons; give licence of non-residence; prohibit any practice not enjoined in rubric or canon; decide questions as to vestments and ornaments (subject to appeal); appoint curate where neglect of duty (Do.); approve change in structure, ornaments, or monuments (Do.); prescribe a procession in the Church.

Again (2) in regard of *discipline*. The bishop has a veto upon judicial proceedings; and it is the *bishop* who gives final judgement and pronounces sentence (whatever variations there may be in the method of procedure).

II. But there is an equally strong conviction that the authority belongs to the bishop *in the Church*. He is regarded as "head" of the diocese, not in the lower sense of a ruler and lord who is above and outside of it, but in the true sense of the "head" of a living organism, of which he is himself an integral

part, and with all the constituent elements of which he is in continuous and intimate touch.

One main object (as it is one chief value) of Synodical action is to promote this *fullness of sympathy*, which is felt to be essential to the spiritual welfare of the Church. While the bishop's every act is genuinely *his own*, it is to be done under the consciousness that he is vitally united to a body, of which, by divine appointment, he is the highest and the unifying organ; and of whose thoughts and feelings he is, ideally, in complete possession, and under an obligation to become actually possessed as perfectly as possible.

The *Annual Synod* furnishes him with a valuable opportunity of ascertaining the mind of his clergy, and, except in Scotland, of representative laymen as well. (It would be difficult, I think, to overrate the mutual advantage thus secured.) But how does the Synod affect the bishop's authority? There is no hesitation in admitting the Episcopate to be the primary visible source of doctrine and discipline in the Church. But it is held that the Presbyterate, having been taken by it into (a limited) spiritual partnership, shares with it, though only secondarily and subordinately, some of the duties of teaching and ruling.

And it is believed that even the laity can bear a witness to the "True Light," and a witness which, while of greatly decreased intensity in some directions, has nevertheless a proportionate, though not an independent, value.

So "the characteristics of *radium*, we learn, are common to all bodies," and though some possess them in a very high, and others only in a slight, degree, yet all are capable of receiving waves and of emitting them.

Accordingly we find the right of presbyters to be consulted strongly emphasized in the disciplinary Canons. A case is heard before the Synod of clergy in *Scotland*; before five presbyters in *Western New York*; before two presbyters (and two laymen) in *New Zealand*; and before the bishop, "with the assistance" of from one to three presbyters (and one or more laymen) in *Ireland, Canada, Australia* (e.g. *Perth*), and *South Africa* (a Canon of which latter Church says explicitly "The Court is bound to consider the opinions of the clerical assessors"). In some cases also the members of the Court are empowered to suggest the sentence which seems to them to be fitting, and this the bishop cannot increase in severity, though he may mitigate it.

Moreover, there is a growing tendency to the development of the idea of the *Bishop-in-Council.*

The "General Convention" of the Church in the United States of America led the way by requiring the appointment, by the Convention in every diocese, of a *Standing Committee* as a Council of Advice to the bishop, with the right to tender their advice whenever "they may be disposed," as well as when "he shall wish for" it.

Among other provisions—to the number of which any diocese may add for itself—no Ordination of any candidate can take place without the Standing Committee's recommendation. On the other hand, the bishop's powers are strengthened in various specific points when "acting with the advice and consent of the Standing Committee[1]."

e.g. he may *remove an incumbent*, and (upon his disobedience) inhibit him "from all ministerial offices and functions." He may *admonish* a presbyter in respect of "practices and ceremonies." (If the admonition is dis-

[1] Cf. New Zealand Title D, Canon II, 8: Any minister or office bearer found guilty after trial of certain offences may be *removed* by the bishop "with concurrence of Standing Committee" (i. e. for nonconformity with P. B., negligence and disobedience, improper conduct, contravention of regulations).

regarded, "the Standing Committee shall cause him to be tried for breach of his Ordination vow," Canon XXIX.) He may suspend and (after six months) depose a minister, whom the Standing Committee certifies to have openly renounced the doctrine of the Church, or to have been admitted into another religious body.

Similarly in *Perth*, Western Australia, "in all business arising out of the decisions of the Synod," and in various other matters, the bishop "shall act only with the consent of the Council" (five presbyters and six laymen). And in many other instances "Diocesan Standing Councils" have been formed with more or less clearly defined functions.

Nor is it without good and sufficient reason that this action of the *Bishop-in-Council* is felt to be desirable, although as a rule, while the "advice" of the Council should be taken, its "consent" should not be necessarily required. For there are various causes which tend to enlarge the personal authority of the bishop in a Colonial diocese. Among these may be mentioned the smaller proportion of men of mark and learning among the clergy, and the considerable number of mission districts, in which the clergy hold "revocable licences." The rapidly changing conditions in mining

and other localities make the greater facility of moving clergy a thing advantageous in itself. But the very fact of the bishop's moral authority being thus enhanced, makes it all the more necessary that constitutional checks should be placed upon its arbitrary exercise. The bishop who suggested this need to me, and who did not hesitate himself to put strong pressure upon men to go where he thought they were needed, guarded against the growth of a "feeling of insecurity" among the clergy, by voluntarily consulting the Chapter, and allowing objections to be submitted to its consideration, though reserving his own freedom of action as to the final decision.

And sometimes definite protection is given in such cases by Canon, e.g. in *Scotland* appeal against the withdrawal of a licence may be made to the Episcopal Synod.

And in *South Africa* the presbyter whose licence is withdrawn may claim trial by the "Diocesan Court."

Upon the whole question, after a careful examination of the constitution and Canons of the General (or Provincial) Synods, in Scotland, Ireland, Canada, America, South Africa, Australia, and New Zealand, as well

as those of a number of individual dioceses, it appears to me that there are two safeguards of the highest value, which do generally, and ought invariably to, exist in the Anglican Communion. The first is the definite *Subordination of the Diocesan to a Superior Synod*, i.e. an appeal from the single Bishop in Synod to the Body of Bishops in Synod. Unrestricted diocesan independence is open to very grave dangers.

On the one hand the large amount of patronage which is, practically, in the bishop's hands, at least in some cases, makes it quite possible for him to give a predominant complexion to a diocese, within a comparatively few years, resulting in a Synod of a very narrow type.

On the other hand, especially in times of religious excitement, the *lay influence*, backed by the power of the purse, may assert itself in excessive measure; and unless the bishop's personality is a strong one, may lead to partisan and oppressive pronouncements. It is but a few weeks, however, since the Bishop of *Melbourne* ruled "out of order" an attempt to discuss a ritual decision of his, on the ground that they "had no power to review the action of the bishop." And although

(e.g. in *South Africa*) the bishop may have declared his "consent to govern his diocese in conformity with all the laws and Canons of the said Church"—yet the question of his "conformity" is not for his Synod itself to determine.

Some years ago, too, the Bishop of *Tasmania* declined to admit a resolution upon the subject of "Confession," as being "not a diocesan but a Catholic matter."

And I have myself seen striking instances of the willing and immediate subsidence of laymen in Synod when the bishop frankly asserted his prerogative.

But there is always a marked *increase of Catholicity* in a general, as compared with a local, Synod. The representatives sent are the best and the most well-informed among both clergy and laity. And the whole Bench of Bishops is necessarily possessed of a practically irresistible weight of authority.

At present, indeed, in consequence of the independent origin of many of the Diocesan Synods, this subordination is regrettably imperfect in *Australia*, and in a less degree in *Canada* also. But the more general position is that of *New Zealand*, where "The General Synod has full power to make all such regula-

tions as shall be necessary for the order, good government, and efficiency of the Church in the *Province*"; and there is an appeal to it "from every act and decision of a Diocesan Synod," or to the "*Standing Commission* of five members authorized to act in that behalf." (*Title C. Canon IV.*)

The second safeguard is the *Subordination of the Individual Bishop to the Collective Episcopate.*

This principle is most plainly embodied in the Canons of the Church of *Scotland*, which enact that—

"The Episcopal Synod finally determines all appeals against the resolutions and decisions of the bishop," both in his Diocesan Synod, and also in cases of refusal of Institution, withdrawal of licence, or sentence after trial.

The *South African* Canons (largely modelled upon the Scotch) provide for an appeal to the Bench of Bishops from a judicial sentence, but to the Metropolitan from refusal to Institute, or to admit a presentment. And the "Provincial Synod" may revise all adaptations or additions to services made by any bishop in his Synod or otherwise.

Canada and *New Zealand* have similar provisions.

But in *Ireland* "any person aggrieved by the decision of the Ordinary . . . shall have the right to appeal to the Diocesan *Court*," and thence to the "*Court* of the General Synod" (which includes four lay judges in addition to three bishops). Also in matters affecting "the status and rights of a clergyman" judgement is given by the "Court of General Synod." And in *Australia* (in "matters of doctrine or of discipline involving doctrine" only) an appeal lies to the "Committee of Appeals" (composed of two bishops, one presbyter and two laymen).

Is it too much to say, in conclusion, that it is just this appeal from the authority of the single bishop to a wider spiritual witness which is everywhere needed; and that it is needed especially in the interests of its own paternal character?

For by its very nature paternal authority is not precisely definable, and is not a matter for legal regulation beforehand, its due exercise being conditioned by the constantly varying circumstances of the case.

Unless this authority is to be seriously restricted (as in Ireland and in Rome) by excessively detailed prescriptions or prohibitions, it must be protected against the odium

which may be brought upon it through its arbitrary or indiscreet exercise by individuals. That is to say, it must be subject to review by the common fatherhood—first of all the neighbouring bishops, and then, if need be, of the whole Anglican Episcopate.

THE NATURE OF THE OBLIGATION IMPOSED ON PRIESTS AT THEIR ORDINATION (1) BY THEIR DECLARATION UNDER CANON 36, (2) BY THEIR PROMISE TO OBEY THEIR ORDINARY AND OTHER CHIEF MINISTERS, &c.

It is curious that while we hear much about the Ordination "vow of obedience" taken by the clergy, there is very scanty recognition generally given to the fact that in reality the clergy are at their ordination called upon to make two distinct vows dealing with this subject. There is the oath of canonical obedience (repeated before institution to a benefice), "I *A.B.* do swear that I will pay true and canonical obedience to the Lord Bishop of ——, and his successors in all lawful and honest things." There is also the promise made in answer to the question in the Ordinal: "will you obey your ordinary and other chief ministers unto whom is committed the charge and government over you, following with a glad mind

and with their godly admonitions, and submitting yourselves to their godly judgements?" These two are often confused, and practically it is very little recognized that there is any difference between them. But surely in reality the one covers far more ground than the other. Of the oath of canonical obedience it has been declared by the Judicial Committee of the Privy Council that it "does not mean that the clergyman will obey all the commands of the bishop against which there is no law, but that he will obey all such commands as the bishop by law is authorized to impose" (*Long* v. *the Bishop of Capetown*). Questions of course may arise and have arisen as to what commands the bishop by law is authorized to impose; but they can only arise within comparatively narrow limits. E.g. since to the form of assent to the Book of Common Prayer ordered by the Thirty-sixth Canon and the Clerical Subscription Act of 1865 there is appended the promise that "in public prayer and administration of the Sacraments I will use the form in the said book prescribed, and none other except so far as shall be ordered by lawful authority," the bishop is clearly by law authorized to

see that the promise is performed, and thus has the right to call upon his clergy to follow the plain directions of the Book of Common Prayer, as to, for example, the use of the Athanasian Creed on the days appointed, or compliance with the rubric which directs that there shall be no Communion unless there be four or three at the least to communicate with the priest; and in certain cases where any doubt or dispute arises he is empowered by law to decide it. These are matters in which he can claim canonical obedience, and in which he can enforce his directions by the procedure of law. But it has always seemed to me that while this oath takes us into the sphere of strict law and confines us there, the promise in the Ordinal has a much wider scope and takes us into a wholly different sphere.

Let me here say a word or two as to the history of both forms. While the promise in the Ordination Service dates only from the Ordinal of 1550, having nothing corresponding to it in the older forms of service, the oath of Canonical Obedience has been required by bishops for centuries. It is ordered by a Constitution of Archbishop Winchelsea (c. 1300); and though it has never (like the

declaration of Assent and Oath of Allegiance) been ordered by Act of Parliament, yet it is recognized by a very remarkable clause in the Clerical Subscription Act of 1865, which says that "nothing in this Act contained shall extend to or affect the Oath of Canonical Obedience to the Bishop[1]"; and thus the legislature has expressly admitted the inherent right of the bishops to demand it. It would further seem that this clause leaves it open to the bishops to require it to be taken *in* the Ordination Service itself, i.e. before the actual ordination; and it certainly ought to be taken either then or at an even earlier time (as the day before, when the other declarations are made), and not *after* the ordination as is curiously enough the custom in many dioceses now. The analogy of the oath of due obedience exacted from bishops at their consecration, and actually taken during the service is strongly in favour of this view; and to require the oath to be taken *after* the ordination robs it of its meaning. Require it before the man is ordained, and you make it clear at once that it is one of the very conditions on which he receives ordination. It rests, as we have seen, on no parliamentary title: but to demand it as a

[1] 28 & 29 Vict. c. 122, section 12.

condition of ordination is the inherent right of every bishop; and if he ordains first, and asks for the oath to be taken afterwards, he not only puts himself in a false position, but also loses a great opportunity of bringing before the candidate the true significance of the obligations he undertakes to fulfil. For if the oath is taken first, then considerable light is thrown on the meaning of the promise made afterwards. If the bishop has secured the promise of obedience to such commands, as by law he is authorized to impose, why does he go on to demand further of the candidate "Will you obey your ordinary?" It would be absurd to regard this as a mere repetition of the obligation already contracted. It must be something more; and if so, we are driven to the conclusion that it binds him to yield to the bishop's "godly admonitions," even in cases where he cannot claim or enforce "true and canonical obedience." It is, then, an obedience for conscience' sake, as a matter of reverence and not of legal necessity that is here in question; and everything about it points to this as being the true interpretation of it. It is true that "admonition" is sometimes employed as a technical term equivalent to "monition," for the lowest de-

gree of ecclesiastical censure duly served after a trial. But it cannot be supposed to be used in this sense here. Not only is the "glad mind and will" with which the admonition is to be followed, a disposition of which the law cannot easily take cognizance, but the analogy of the other questions indicates that we are here dealing with matters to be settled *in foro conscientiae* rather than in the law courts. "Do you trust?" "Do you think?" "Do you believe?" "Will you be diligent?" All these are questions which take us altogether out of the sphere of law. They are only to be answered by one who has faced them "solus cum solo" in the inner court of his conscience [1].

I believe, then, that we want a fuller recog-

[1] It ought to have been stated, however, that in the Benefices Act of 1898, which provides a method of procedure where "the ecclesiastical duties" of a benefice are inadequately performed, it is expressly stated that "the expression, ecclesiastical duties shall include . . . the observance of all the promises as to conduct which every clergyman of the Church of England solemnly makes at the time of his ordination" (61 & 62 Vict. c. 48, section 13 (3)). This certainly invests the promises with a legal aspect; and perhaps the language used above ought to be modified. But I do not think that the fact destroys the general line of argument, or is fatal to the distinction drawn in the text. The expressions quoted above must surely imply that when the questions were originally framed, there can have been no thought of strictly *legal* requirements, and it is obviously only in the case of flagrant neglect of duty that lack of "diligence" could be legally established.

nition of the distinction between the oath of canonical obedience and the promise of obedience to the ordinary, &c. And that this recognition must be accompanied on our part by a frank admission that the bishops have claims on our allegiance over and above those which they could establish in the courts of law. Certainly the original tractarians were not slow to make this admission. Newman's saying that "a bishop's lightest word *ex cathedra* is heavy" is an example, especially in the light of his action in discontinuing the Tracts, at Bishop Bagot's desire, on his censure of them. There was certainly no question of canonical obedience there. It was a matter altogether outside that, and concerned the publication of certain works.

But admitting this, what limits are to be set? It is only "godly admonitions" which we promise to follow, and "godly judgements" to which we are pledged to submit ourselves; and who is to decide in any given case whether an admonition or judgement is godly? Undoubtedly an "admonition" to disobey a plain command from God must be disregarded. "We ought to obey God rather than men" comes in here. But such an admonition, though conceivable, is not likely to be given.

The really difficult question is this: Can a bishop override the law of the Church as expressed in the Book of Common Prayer? That he might decide on the expediency or inexpediency of reviving a rubric which had been for a long time obsolete was the opinion of Dr. Liddon[1]. And unless we are prepared on our part to carry out the directions of the Prayer-book in every case with much more scrupulous regard to the letter than we commonly are, I do not see how we can deny this. It may be urged, perhaps, that, had this been always admitted in the past, we should never have gained anything at all in the way of ritual revivals, for the bishops would invariably have stopped them if they could. But I do not think that we can fairly conclude this. In the early days of the ritual controversy I doubt whether the distinction I have tried to draw was properly recognized on either side. There was certainly a good deal of confusion. Both parties have learnt a good deal since the days when an Act was passed in a light-hearted way to "put down ritualism." We cannot really say what would have happened had things been other than they were. What we are concerned with is

[1] *Life and Letters of T. T. Carter*, p. 162.

the present, in which our business is to get the true theory of obedience and the right principles of ecclesiastical order properly recognized all round. And if the *diocese* and not the *parish* is the true unit, and the bishop the principal officer throughout the diocese, I do not see that we can dispute his right to decide in such a case as that suggested. It is, however, a further question whether he can, in some words of Dr. Bright, "claim a *general* authority to dispense with this or that point in the law of the Prayer-book [2]." It is impossible for me to discuss this now. Others more learned than I am may be able to tell us how far the dispensing power of the bishop extends, and how far the *ius liturgicum* of individual bishops remains, empowering them to modify or alter a "use" which has been so authoritatively accepted by the Convocations of both Provinces as has the use of the Church of England in the Book of Common Prayer. But without entering on this. it is well to notice, what has been more than once pointed out of late, that the chief difficulties of recent years do not concern those matters where the law can step in with a clear "thou shalt," or "thou shalt not."

[1] *Life and Letters of T. T. Carter*, p. 163.

They concern matters which depend on other considerations than that of the exact interpretation of a rubric. And my contention is that here is the sphere in which the bishops might appeal much more boldly, as Fathers in God, to that claim upon our obedience which they have in virtue of our Ordination promise, making it quite clear that it is to *this*, and not to the oath of canonical obedience, that they appeal ; and if they were to do this I believe that they would meet with far readier compliance " with a glad mind and will " than they have hitherto done. Behind the oath there lies the law court ; and there, I fancy, has been the source of much of the difficulty in the past. It certainly was so in the Clewer case. It has been felt that the bishops were hampered by the legal decisions, and that by obeying them the clergy were really submitting not to their diocesans, but to courts which they had conscientious difficulty in recognizing. Cannot we get rid of this by a franker recognition on both sides of the seriousness and reality of the (extra-legal) promise of obedience made in the service? It may be, and I think it is, impossible to lay down fixed limits of the bishop's power under this head. But if it is a right binding us

in foro conscientiæ, that is only what might be expected. Each case must be decided on its own merits. Only there will always be a strong presumption in favour of obedience. It is a tremendous responsibility for a man to say that an admonition from his ecclesiastical superior is not godly, and is therefore not binding on his conscience. It should be said also that a no less grave responsibility lies upon the superior power not to strain his undefined rights over conscience, or to use them arbitrarily; and it must not be forgotten that the terms of the promise refer not to the bishop alone, but that others are joined with him. "Will you obey your ordinary and other chief ministers of the Church and them to whom the charge and government over you is committed?" Or, as the question is put to priests, "Your ordinary and other chief ministers unto whom, &c." What the exact intention of this may be it is hard to say. But it seems to point in the direction either of united action on the part of the bishops, or at any rate of consultation with others; and not to contemplate isolated or solitary action. If the spirit is to be carried out on both sides it would seem that, while it forms a wholesome reminder to us of the second order that we

are not independent but "under authority," and that there are those to whom "the charge and government over us is committed," something more is wanted than a bare and formal direction from a single bishop acting apart from his brethren and without advice from his Chapter, and laying down a rigid rule for his diocese, "it is not permitted" to do this or that. But, however this may be, what concerns us as priests, who are pledged by our own words, is to recognize the tremendous force of this promise as distinct from the oath of canonical obedience; and if I am right in the interpretation I have given it, to allow no fear of possible consequences to stand in the way of our acting upon it.

The Rev. T. A. Lacey: Mr. Dean ; I have a rather narrow criticism of Dr. Gibson's paper to offer. The oath of canonical obedience after all is a narrow, technical thing, and as a matter of fact I am not sure that the bishop has any power to impose it on one who is not ordained. I cannot but think that Dr. Gibson's argument would have been stronger if he had recognized this fact, that the oath is a small, technical thing, while the promise made in ordination is a very large thing indeed, and not even to be brought into comparison with it. Mr. Darwell Stone's paper brought to my mind a remark which fell from Canon Body yesterday afternoon, and which surprised me as coming from him. I do not remember the wording of the remark, but I remember the substance. It was an aspiration after a revival of synodical action, echoed, I think, by another speaker who followed him. Order in the Church, he seemed to think, and everything else, after which we are aspiring, would be revived if there could be a revival of synodical action. I longed to get up and ask Canon Body if a bishop is not good enough for him. I must say a bishop is good enough for me.

Canon Body: I quite agree with you.

The Rev. T. A. Lacey (continuing): I will not repeat the familiar words of Newman about a bishop's lightest word being heavy. It is a very mild way of expressing what ought to be in the minds of all. For my own part I am bound to say I never had a command from a bishop which I felt justified in disregarding; but if I did happen to receive a command which I felt justified in disregarding on the ground—the only possible ground, as it seems to me—that we must obey God rather than man, it would not make a shadow of difference to me whether the bishop gave the command alone *in propria persona*,

or with all the picturesque adjuncts of the diocesan synod. Indeed it would be all one to me whether it came from one bishop or from a general council. The principle is unlimited: we must obey God rather than man; a bishop would gain nothing in this respect by acting in a synodical manner. He would gain a certain picturesque adjunct; and it might be extremely wise to act in that way. I am reminded of a letter of St. Cyprian, in which he said that he had resolved to do nothing without the concurrence of his presbyters. I have never been able to see what that letter means, unless that St. Cyprian held himself perfectly justified in acting without his presbyters, but thought it wise always to consult them. I have sometimes received extremely unwelcome commands from my bishop, but I have never seen any reason why I should not obey. When I was beneficed in the diocese of Peterborough, the late bishop gave me a direction which I am convinced he ought not to have given. I did insist upon his incorporating it in a letter to be read from the pulpit, in order that the responsibility might rest with him. That may not have been an indication of "a glad and willing mind"; and certainly there was neither gladness nor willingness in my obedience then, but my obedience was without limit because there was a direction coming from my immediate superior which I could see no legitimate ground for disregarding. That being so, it made no difference whatever to me that it came in a private letter, and was not delivered in all the solemnity of a diocesan synod. A reference has been made to a certain legal dictum of Sir Edward Coke to the effect that the laity are not bound by canons made in Convocation because they are not represented in Convocation. I think he was wrong even in what he meant, and I believe some good lawyers think so too. But the utmost that he meant was this, that the canons made in Convocation do not bind the laity *qua* laws of the realm, whereas they do bind the clergy *qua* laws of the realm, because the clergy assent to them in Convocation. But to say that the laity are not spiritu-

ally bound by canons enacted in Convocation seems to me to be a denial of the very existence of the Church, and of the authority of the Church. I bring in the matter in this connexion, because if we are to accept the dictum of Coke as establishing a principle, it will follow that neither are the clergy bound at all by directions of their bishops unless they have assented to them in synod.

CANON HAYMAN: I am almost afraid that after what you have just been listening to, what I am going to venture to propound will seem almost revolutionary. I will begin by quoting a canon of the Council of Carthage, the date of which I believe is 254 A. D., therefore very soon after the time of the holy Cyprian whose words have been quoted more than once this afternoon, "*Irrita erit sententia episcopi nisi presbyterorum praesentia confirmetur*"; that is very decisive. I will go further, to the New Testament itself. However high you may put the prerogative of bishop over presbyter you cannot put it higher than that of apostle over presbyter. I suppose that is a truism. We know in the 15th chapter of Acts the respective shares of the apostle and presbyter are laid down. Apostles and presbyters are the body to whom the decision of the most important questions of the infant Church was referred, and their decision is that which concludes and settles the question. The voice of the laity in which it is said (verse 22) to have "pleased the apostles and elders with the whole Church," is where they have to choose envoys in order to communicate the results and the decisions to the great body of the Churches lying outside. Again in Acts xx. St. Paul summons Ephesian presbyters and reminds them "the Holy Ghost has made them ἐπισκόπους." I take the word as it stands. I believe that the great Church commentators, Bingham, Pellicia, and Rauttenstrauch, in England, Italy, and Germany are all agreed that these words give to the presbytery a commission not dependent merely on the bishop, a commission direct from the Holy Spirit; and this was I believe the consequent basis of that polity which the oldest church

historian calls ἔνθεον, "given or inspired by God." It was synodical. The monarchical episcopacy I do not believe is older than the conversion of the empire in any form or shape. I believe it has borrowed from all the usurpations and tyrannies of history, notably from the Roman empire, the Byzantine empire, and in our own country. I also think the monarchical episcopacy has borrowed from Norman and Tudor tyrannies, the results of which latter linger down to our own day. Now the right to which I refer, viz. the presbyteral right being grounded in the decision of a Council older than the cessation of persecution and having its roots in the New Testament itself, is necessarily older than any attribute of an archbishop of the see of Canterbury or of the imperial crown of the realm. Upon that I believe depend all canons for their validity. The relation of episcopal and presbyteral authority is one which seems to me to unite the roots of both in the apostolic age, and to have the strongest claim on our obedience at the present day. Now with regard to the jurisdiction of bishops I should like any one who has considered the question to tell us, whence episcopal jurisdiction of the present day is derived? I can say in the time of St. Cyprian it was derived from the consent of the clergy and laity, over whom it was to be exercised. I believe that to be fundamental and essential. What has become of it? Can you trace it anywhere? You can trace it in history. There is an example conspicuous in the thirteenth century where a certain bishop was chosen *cum suffragiis universae plebis concedente rege*, i. e. with the king's consent obtained. I do not know when that died out; but it has utterly died out among us. I cannot see that our existing episcopacy can claim in the proper ecclesiastical sense of the word, jurisdiction. There may have been a time when the royalty of this realm combined so much of Church and State authority together as to be taken as equivalent in some senses to the consent of the clergy and laity; but is it not building emptily on forms and phrases to assume we in this day can

ascribe any such authority to royal supremacy? When you trace home to its modern root the choice of the man and his investment with a spiritual jurisdiction, you find that root in the ballot-box. But the ballot-box cannot confer such jurisdiction even when strained and filtered through the Treasury Bench. There is nothing now left to represent those vital and fundamental elements the consent of the clergy and laity over whom the jurisdiction is to be exercised, the consent of the com-provincial bishops and the approbation, if there is an archbishop, of the authority of the province as represented in him. All those suffrages have been lost. Are you prepared to acquiesce in that loss? I believe that is the root of all the greater of those monster evils, which for the whole time I have exercised the functions of presbyter, it has been my lot to mourn. I do not think you can ever redress the evil unless you touch that fundamental wrong, unless you restore the only basis which makes jurisdiction possible. We have not got it. We do not know where to seek it. Of course it would involve a great struggle, a grave reconsideration of all those influences which have been predominant throughout the history of the Church of England. No doubt there are other instances besides those I have given, but as regards synodical action pure and simple I would quote the Manx Church. It has never been interrupted in the Isle of Man. There bishop and clergy meet year by year and they have met every year, throughout the middle ages. I have here (handing paper to chairman) a list of some thirty examples—far of course from exhaustive—of constitutions prescribing diocesan synods or of such synods actually held in many other dioceses beginning with the year 569 A. D. down to 1426. [The speaker was stopped by the chairman's call of time or would have added—"Any three bishops of the Catholic Church can canonically consecrate a bishop of that Church; but that does not confer on him jurisdiction over any particular diocese. It makes him capable of such jurisdiction; but to confer it, the above suffrages

of clergy, people, &c., are indispensable. The lack of them has resulted from time immemorial in the weakness of the episcopate. Its hold on all below it is artificial and precarious; resembling that of a pile driven in by *vis maior* from above, not that of the natural upgrowth from the soil below, racy of that soil and the vigour and vitality drawn from its bosom.]

The Rev. F. C. Kempson: It seemed to me from the set papers which we have heard read that together they make up an analogy to a familiar expurgation in the play of *Hamlet*. We had examples of the exercise of episcopal authority everywhere except in the province of Canterbury and York. We have had the exercise of authority in the primitive Church, in the Greek and Roman communions, and we have had the exercise of episcopal authority in the colonial dioceses in communion with ourselves, and everywhere in all these dioceses there was a good guarantee that the bishop would exercise his authority, legal or paternal, along certain recognized lines. In the primitive Church it came through synodical action we are told. Synodical action in time seems to have worn itself out, by getting a set of conditions so cut and dried that it was perfectly clear what the bishop was to do, and therefore, that being so clear there was no use in bothering to summon the synod to talk about it or to work out what synodical action had done, so that the Greek or Roman presbyter of later days knew the things he was to do, and the sort of government to which he had submitted, which would be carried out on recognized lines. The primitive condition seems to me to be in many ways restored in our colonial provinces, but in England it is not. For various reasons our dioceses are very large, and as a result they are in many ways very helpless. We have gone through a period of two or three centuries of grave decay; by neglect and want of interest the practical life of the Catholic Church of these provinces has gone very far from the ways of original righteousness, and now we are trying to get these ways back,

and in trying to get back we must pass through a period of some sort of anarchy. You cannot break up wrong traditions of authority without going through an anarchical period. We are now at this time trying to get out of the anarchical period, and what do we want to get back to? We want to get back to something better than a bare legal canonical obedience such as the oath of canonical obedience guarantees. We want to get back to a condition of following "with a glad mind godly admonitions"; we want to get back to a condition in which obedience is military rather than legal. Now I must explain what I mean by this. What is at the bottom of military obedience? What is it for? The bottom and fundamental notion of military obedience is that men shall follow their officers *gladly and with confidence* as their leaders in action. All military training and discipline is to get officers and men working together as an organized fighting unit, and that is what we have got to get back to. Why? Because the regal authority of bishops is not only (as on the civil side of regal authority) legislative, but also (as on the military side) combative against the world. The standard of the cross has been set up against the world. The individual units of the world do not always realize what the fight is about, but the world as a whole has got a very good notion of what the things are which tread on its corns. And it has got a notion that somehow this Catholic revival is treading on its corns rather sharply. And in the confusion of thought that there is this day and the amount of action which is taken without thinking out fundamental principles there is a spirit of distrust abroad. Men who are giving their lives for the cross do feel they are not being led in the military sense by their bishops, but that their bishops are sometimes letting them alone and very anxious not to know what they are doing. "I don't want to know what you are doing. I don't want to commit myself. I don't want to lead you and if you want to do anything you must do it in an irregular way." Then when the spokesman of the world, the

man in the street or his more intellectual analogue the man in the Athenaeum, complains to the bishop: he puts the screw on the fighters of his own side (whom he has practically compelled to act as guerillas); he calls upon them to cease fire or at best to be content with blank cartridge, because the enemy does not like anything more effective. There may be want of sympathy with the so-called recalcitrant clergy, but they are after all doing work for God and they want to be led.

The Rev. E. C. Baldwin: I only rise to ask to be allowed to refer to something mentioned in Dr. Gibson's admirable paper. I should myself very much desire to see the Diocesan Synod recovered in all dioceses. I feel it would be wise; but under the old rule although the bishop called his presbyters together to give their advice, yet he was not bound to act upon that advice. And of course if there was anything like a vast division of opinion, you will see distinctly that although there might be moral obligation for the bishop if there were unanimous advice, yet the moral obligation would be diminished if there were any large difference of opinion amongst the presbyters themselves. As regards what Canon Hayman said about jurisdiction, surely as a matter of history and theology jurisdiction is of two kinds, habitual, and actual or territorial, and it proceeds from above. The mere fact of consecration itself conveys habitual jurisdiction to every bishop. I am not aware it has ever been disputed in the Church, though of course I may be wrong. Then as to what Dr. Gibson said about the declaration we make "I will use the forms prescribed in the said book and none other." I take it it does not exactly mean the same as "I will use the said form and nothing but the form," otherwise I should be bound in celebrating the Eucharist to read the long exhortation every time. My bishop says he cannot give me permission to omit the exhortation, I replied "I use it twelve times a year at present, but if you order me to use it at every celebration I will do so." The bishop refused

to give me the order. It is rather awkward. Then with regard to the point alluded to about "four communicants or three at least." Many years ago I got up one morning and found fourteen inches of snow on the ground, and I had considerable difficulty in getting to the church as it was very hard to raise one's feet with the weight of the snow on them. And I thought when I got to the church, "It is perfectly certain no human being will be there." But I found one man there, a coal-heaver, and I said to him, 'Did you come here to communicate?" He said, "Oh yes. I don't always get time but I had got time this morning and so I came here." Would you send the man back? (Cries of "No".) I talked this over with the bishop and after discussion he practically agreed that of course if any one *bona fide* communicant was present at the church he ought not to be sent away. On the other hand I know a case of a man who prematurely introduced daily celebration. The parish was not fit for it and the consequence was there were 250 or 300 days in the year when there were no communicants. It seems to me a matter of common sense that this rubric depends on another rubric that is not enforced, that notice should be given some time the day before, and unless that rubric is enforced from above on the laity it is very hard on the clergy. When one desires to obey to the letter everything the Church orders it is very difficult. That is all I wanted to say, but I think I am bound to add if the bishop ordered me to do anything whatsoever that was not clean contrary to the Order of the Church I should be bound to do it and if I could not do it, if my conscience refused it, I should be obliged to give up my living—but there are cases where I might not. It is conceivable, alas! in the English Communion, that my bishop might wish me to communicate a person living with his deceased wife's sister. Of course I should not. It is against the Divine laws as well as of the Church of God. But I don't think I should resign my living.

The Rev. Mason Cox: The authority of the bishops is, however undefined, accepted, I understand, almost universally. Disloyalty to bishops is, by the testimony of our diocesans themselves, almost unique in the various dioceses. But it is idle to deny that the directions of bishops are obeyed frequently with much friction and discontent, and some of the reasons are perfectly clear.

First:—A theory of the bishop's absolute authority has been long pressed in one particular direction. There has been a continual tendency to work this theory to defend departures from Catholic faith and practice, to break recklessly and unreasonably with the past, and gravely to isolate the Church of England from the whole body of the Universal Church.

Secondly:—In an established church whose prelates are appointed by a government, swayed to and fro by the variations of political parties, there is great danger that the disaster of the eighteenth century, from which indeed we are still suffering, may be repeated. For there is evidence that then the Catholic-minded bishops and clergy were deliberately, and of set purpose, driven out of the Church of England in order that the Catholic character of the Church might be destroyed. The separated church of the Nonjurors was long a witness to this fact.

Thirdly:—As we pass from diocese to diocese we find contradictory decisions on very important matters. You may be in the position in which your archbishop has directed you, by precept and example, to do a thing that his suffragan, your own bishop has repudiated as, in his opinion, actually sinful. In such a case whom are you to obey? Or you may be in the position in which your bishop issues decisions that vary and disagree within the space of two or three years. Or you may pass from one diocese to another and be told entirely different things on even vital doctrine and practice. The bishops indeed themselves speak in constant doubt and contradiction of their own power and authority. That is why the working clergy feel they want some universal prin-

ciple recognized, as that bishops shall be assisted, protected, and restrained by duly and canonically elected representatives of their clergy meeting in synod, and to such a body in diocese and province there shall always be an appeal, so that the true spirit of the Church may be heard.

Fourthly:—Why is it that the bishops of the Anglican communion from the United States of America refused to recognize a committee of English bishops as referees? They can see over there what so many of us cannot see, that state bishops, as state bishops, cannot be trusted. There can be no certainty, consistency, security in their decisions. We are all agitated now about a fiscal controversy, but if the new proposals are carried how will this affect us churchmen? It will decide the person by which our future bishops and many of our other dignitaries are to be appointed. The future is very dangerous indeed for us. We do not know what line will be followed in future appointments. We may return to the time of the eighteenth century and may find the law of the Church in a particular diocese is perfectly opposite to what it is now.

Fifthly:—As to the reference made to ancient councils of the Church. The decisions of such councils were rendered far more valuable than they could be, in England, at the present time, from the fact that bishops were, in ancient days, not merely "Episcopi" but often "Parochi." The bishops were very largely the vicars of big towns, in some cases even of small towns, and therefore they were in close touch with the practical difficulties of the day. They knew human nature even if not always great scholars, they knew too the practical difficulties of making men Christians and keeping them so, and thus the decrees of ancient councils can guide us to-day. In any case the existence as a final authority of "the bishop alone," as in the Church of England at the present day, is unknown in ecclesiastical history, and I believe is absolutely without parallel in any other part of the Catholic Church.

CANON BODY: Mr. Dean; I will only detain the Conference for a few minutes. First, I should like to notice a criticism of Mr. Lacey's as to my use of the word synodical. Certainly I did use it. But it was not in connexion in any way with the question of the relation between a diocesan synod and the ruling authority of the bishop in it. What we were considering at the time was this, the attempting in 1904 of an enforcement of a law made in 1662 or 1549 or, I think I was bold enough to say, still more of one made in 1548. This I said was an impossibility. Allow me then to remove the word synodical and put in the word legislative. Then I say again what I have said, I can see no way out of our present difficulties until the living Church of the present has its legislative power.

I cannot think that the position taken by Dr. Hayman will receive the concurrence of this Conference. The very first principle for the restoration of peace, that is, of the harmony of ordered union, in the Church lies in the recognition of the fact that we have an episcopate which possesses absolutely and fully Catholic jurisdiction. If we for a moment allow ourselves to think that we in the Church of England are standing in a different relation to our bishops from that in which members of the Latin or Eastern communions stand to theirs, to my mind we have laid the axe at the very root of Anglo-Catholicism. Only we claim that our bishops should not enforce on us decisions which are based on their own personal opinions or prejudices, and that there should be continuity in decisions in a diocese. Such a claim will, I believe, be recognized by our bishops, if they are met in that respectful spirit which is due to them from us as our Fathers in God. Such at all events has been my experience. What I do feel is this, we must have the courage to trust our Catholic principles. After all, the Church and this portion of the Church is in the hands of Him "Who sitteth upon the Throne." The bishops who are over us come to us bearing His commission. In fidelity to the principle

of Catholic obedience, there may be times when like Christ on the Cross we may have to submit to what is as it were a very dying. But if we are loyal to this great principle of obedience, the glory of resurrection, with its triumph, must be ours.

CANON WOOD: After the eloquent address we have just heard I feel some diffidence in rising, but I hope I may be allowed my contribution to what may be described as the higher criticism of bishops. I agree entirely, I am sure we all do, with what has fallen from Canon Body. We must dare to trust our principles. At the same time we are bound to use, as sensible men, a little common sense in our judgements, and bear in mind how, why, and by whom an English bishop is appointed. A certain remark of Dr. Newman's has been referred to this morning, and we were told how he submitted at once to his bishop a very important decision indeed, which influenced, I believe, the whole of Newman's after life. Strange to say I heard from the lips of a former occupant of the same parish which Dr. Gibson now adorns—Dr. Hook—his account of the matter, and he said, while speaking very highly of Dr. Bagot, the then bishop of Oxford, and his kindness and so on—for he was a personal friend of his own—that he wondered that Newman with all his powers and all his information should have referred to the bishop so momentous a question. We must consider that a bishop is himself limited very much indeed by his position with regard to the laws of the country and the laws of the Church, which in many respects have become obsolete. I may perhaps give an illustration of what happened to myself forty-three years ago. I had taken charge of a very scattered parish, and I wished to say the daily office in the church. I therefore asked Bishop Wilberforce if he would allow me (knowing, as I did, there would be scarcely anybody there) to omit the preface to matins and the prayers after the third collect, as is now frequently done. It seemed absurd to read "Dearly beloved brethren" in front of two or three members of my own household, and tell them

why they had come to church. The bishop replied, "I cannot give you authority to make any alterations whatever." But I thought there was a smile lurking on his face, and I said, "Suppose I do not ask your Lordship's authority to say my prayers as I propose," and he answered, "That is a very different thing." May I add that I think the solution of the greater part of our difficulties at the present time lies in the sub-division of dioceses, so as to make the bishop more, as he ought to be, in touch with all the clergy and laity of his diocese. In Italy and on the continent generally the dioceses are much smaller. It was an unfortunate accident in this country that each Saxon kingdom, speaking generally, had its one bishop. Both in mediaeval times and in the present, English bishops have had a great deal more to do than they could possibly discharge.

The Rev. L. B. Radford: There are two things only I desire to put before the Conference—the first a warning not to be misled by the very real element of truth which underlay Mr. Kempson's analogy between the types of obedience, the military and the legal. A certain member of Parliament, and the rival who is to oppose him at the next general election, are both of them consumed with the idea of military obedience on the part of the clergy, and for both it means rank coercion without any of the elements of safeguard that have bulked so large in the papers and discussion this morning. After all, is it a precise analogy? As far as it contains the idea of aggressive force, of leadership, we welcome its lesson. But what are the problems to be faced? The point of divergence between the types of obedience is this—that the matter upon which there is a field open to command is not the same in either case. Our Prayer-book, our drill book as it were, has got in it so many problems that are obscure and by no means clear; and this is not the case in the drill book by which the soldier has to do his work, and in which the province of command is clearly defined. All that is left to the individual discretion of an officer is simply

finding out and acting, and making his men act, on what he has found out about the enemy on the other side of the hill. The other point which I venture to offer is this. We have had able arguments this morning from the historical and spiritual side to enforce the necessity of helping the authority of the individual bishop by bringing it into correlation with his co-sharers of that one authority. Is there not another reason for this collective action which we should press forward this day—a reason suggested by the modern tendency of specialization? We look at our fathers in God and see in this one and that a marked instance of special gifts. There is the statesman, the pastoral bishop, the hard, stern working genius, what we may call the business bishop, and again there is the liturgiologist, one here and another there. We could not go to one perhaps for that for which we should go to another, nor receive from one what we should receive from the whole episcopate altogether, and what they could receive from each other, namely, those different elements of the ideal episcopate of which God has given one to this man or to that, but not all to one man. So the collective action of the episcopate is the practical logical result of the tendency on the one hand to specialization, and on the other hand the natural fact of having an endowment, a gift, which, after all, should be thrown into the treasury of the whole episcopate for government and for guidance.

The Warden of Radley: I want to say two things. First of all I speak as one ardently anxious we should be able to affirm the liberties of the Church of England with regard to ecumenical customs. I believe where the Spirit of the Lord is there is liberty, and I cannot see how we can restrain the liberty of the English Church without denying that it is informed by the Spirit of the Lord. Yet I do feel that there is a danger that we should suppose that those who insist, as I think Mr. Darwell Stone insisted, on the limitations of the right of national churches in that matter are simply a few

people who have risen in quite the last few years in the Church of England, and are people of peculiarly disorderly minds. I should like to read from a book, *The Vindication of Presbyterian Rights by a Presbyter of the Church of England.* It is printed anonymously, but it is perfectly well known it was by Dr. Hook, Vicar of Leeds, and was published in 1839. He says:—

"The rights which we know either from Scripture or tradition to have been yielded by apostles or the bishops of the Church Catholic to the second order of the ministry no provincial Church can take away; and any additional rights conceded by provincial synod or custom or common law, no individual prelate can withdraw from the clergy of the diocese."

As long ago as 1839 this idea of limitation was present in the mind of Dr. Hook, though I doubt whether he saw quite the length to which he was committing himself.

With regard to absolute obedience to the bishop, although I would plead most earnestly—it was the only reason why I had any part or lot in this movement—for unreserved obedience to the bishops under present circumstances, and although I think it is the one thing which will be our safeguard and hope at the present time, yet there is a danger of injustice to those who have felt themselves sometimes obliged to disobey; and at all events we must not think that they again are always people of particularly disorderly minds. In connexion with Mr. Radford's observation that the soldier's drill book is clear, I wish to call attention to a letter from Dean Church to Mr. Carter of Clewer, which is in his recently published letters, I think in the year 1882. It was on the Clewer case. Dean Church says first of all he regards the oath, the canonical oath of obedience to the bishop, in the same way as the oath of canonical obedience taken to the dean by members of his chapter. Secondly, he said there was a limitation to the oath of obedience as he understood it. He would regard it as absolutely binding in things that were clear. He

would regard it as absolutely binding in things that were indifferent: but he said there is an intermediate ground which cannot be called indifferent and which cannot be called clear; and if there was a large body of godly men who really felt together that the direction of their bishop was against their conscience on a point which was not made clear and which was clearly of importance, then he thought the oath of obedience did not apply in such a case as that. But is that the case now? I would urge unreserved obedience now because the circumstances have changed. It seems to me that Dean Church's letter would not in the least apply in a case where the mass of the clergy of a diocese have been treated in the most generous and considerate way by a bishop, and where there are just three isolated clergy who, against the ready submission of the other presbyters of the diocese, continue to hold out against the direction of their bishop.

The Rev. F. Lewis Donaldson: There is just one point which I feel should be emphasized before the end of our meeting. Listening to the papers with the deepest reverence, one cannot help being disappointed that the scholars who have addressed us should not bring out in greater prominence whatever popular elements (of consent, at any rate) there were in the ancient practice of nomination or election of bishops. I think it is rather too bad of specialists, with regard to the minor portion of the facts, to ignore that so much as they do. It is this minor portion which, in justice, should be brought out rather more than is usually the case, and which I must emphasize in regard to the papers which referred to that portion of the subject. It is not that I, with Dr. Baldwin, my venerable brother who spoke in this connexion, would for a moment question the Catholic doctrine of jurisdiction. Not at all. But without going into the technical and purely spiritual aspects of that, there remains the large area of consent, which deals with nomination if not with election; and it is that to-day which I believe is one of the great sources

of our difficulties. The Chairman asked us to speak of principles, and I am really speaking of them. You have spoken of the parochial difficulties. Those are details. Synodical and diocesan difficulties are details. But here is a difficulty which does refer to a mighty principle—this fearful gap which lies between the nomination of a prelate and "the Church." I do not mean the clergy only, but the Church—the clergy, and the people of the diocese which the bishop is going to govern. You cannot give a statesmanlike consideration to this subject unless you give some part of it to this very serious point.

It touches also on the question of "obedience." Certainly the difficulties between the presbyter and obedience to his bishop are not only technical, they are moral. It is the feeling of estrangement, of injustice done to us, hastiness to agree with the popular cry of the moment. These are the kind of things that irritate not merely individual priests, but the Church at large. And these difficulties would be tremendously diminished if, with regard to the appointment of prelates, there were something more than nomination by the First Lord of the Treasury. So long as these words are in the Acts of the Apostles, we must refer to them as among first principles: "Look ye out seven men full of the Holy Ghost" (the gap between officer and people disappears) "whom we may appoint," i. e. to whom we may give jurisdiction.

The Rev. W. F. H. Randolph: I am truly thankful for what we have heard this morning; the subject is immensely important, but yesterday's subject must be settled before we can come to any definite decision on what we have discussed to-day. Bishops' commands have been given. A number of people have refused to obey these commands because they owe loyalty not merely to their particular bishop, but to the Catholic Church. They appeal from the individual bishop to the Catholic Church, and it puts some of us into a very awkward position indeed. In matters of this description a kind of spirit of disobedience has crept

in and has infected many people outside the ranks of the clergy; and the result is that in certain parishes, at any rate, the opinion of the bishop entertained by the laity is not at all the sort of opinion any one in this room would wish to see held. The bishop's authority is sneered at, the bishop's character is very often flouted, his decisions and letters are turned into ridicule, and it is hard for the priest who wishes to obey him. For instance, you come to a question which is undoubtedly, without any chance of contradiction, absolutely within the power and jurisdiction of the diocesan bishop. I take it it is absolutely in his power, for instance, to call upon a priest not to celebrate unless there are three communicants. You go to a parish where there is a daily celebration. Five mornings out of six there are no communicants. You say there must be at least one communicant; to keep the principle of the thing there must be one. You are met with a howl of derision, all the ladies of the parish rise up in rebellion, and I can assure you (it is not a thing to laugh at) that it requires a vast deal more courage and a vast deal more grit to disobey your ladies than to disobey your bishop. I speak with all seriousness; very often women and a few ecclesiastically minded men brought up with decided opinions and in a very particular, narrow school have no limits to their malice if they are thwarted. I do not think I have gone beyond the truth in saying that. It simply comes through a defect in their training; they have been accustomed to follow the priests of their respective parishes with a touching loyalty and a loyalty that we ought to be truly thankful for. Then they came to a diocese where perhaps the bishop may not be very congenial. They have learned more or less to despise episcopal decisions and commands, and then you have this very difficult position for the vicar for the time being. He wants to be loyal to the Catholic Church, to be considerate and gentle to his people. He is called to order by his bishop. What is he to do? If he obeys the bishop he runs counter to the feeling of his flock, and this is

an awkward and a painful thing to do. I believe we must come to some decision on yesterday's question, and then we shall be able more or less to come to a very useful decision on this morning's discussion. The subject has passed beyond the hands of the clergy to a certain extent. We must do what we can to educate the laity and bring them to a state of canonical obedience.

Canon Body: I should like the question to be considered first, whether we are quite right to formulate resolutions or whether it may be wise. We have met together here as far as I understand it in connexion really with the Declaration that was presented at Lambeth, and therefore we have behind us not simply those who are present here but those four thousand names which were appended to the resolution. Have we the authority really to pass resolutions which will be binding on those who are not present with us? But I wish to say something more than that. I came here, as I daresay a great many others did, for the purpose of being educated myself. I had as you know very strong convictions upon certain great fundamental principles. I have stated them at length here and elsewhere. But I cannot come within the list of those who have been called experts. We have agreed upon a certain great principle. Behind the principle are a great many questions upon which we are not in agreement. Take for instance the one which came up so strongly, the question of fasting Communion. It is important, and it is one on which people feel very strongly and on which people are prepared to take, at all events on one side, very decisive action. I think it would be altogether beyond the object of our meeting, and that it would be altogether unwise for us therefore to make declarations upon principles on the application of which we are not absolutely in agreement. Either the declaration will be so vague that it will mean nothing or if it becomes definite it will leave us divided, whereas I hope we shall go away very much more united than when we came into this room. I therefore wish to

say that in my judgement, and the Dean of Christ Church knows I had the same thought in my mind before this Conference began, we shall not be advancing the cause which we wish to advance, of gathering together upon great principles of Catholic obedience Catholic-minded people in the Church of England, if, not content with meeting on the platform we pass on to the affirmation of any proposition whatever.

The Warden of Radley: Allow me to support what has been said by Canon Body for one particular reason. This Conference might have been arranged in one of two ways; either definitely to make a resolution from a homogeneous body or to discuss. If it had been the intention of the committee to do the first it would have been necessary to pack this meeting. It would not have been really a Conference, and I think I should have been instructed to proceed in a different manner.

Mr. Kempson, for example, did not sign the Declaration, and I am not sure if a resolution had been intended an invitation would have been sent to him. It is perfectly obvious he would not be in agreement with some of the things which we stated in the Declaration. The other purpose which the Conference might have served would have been real discussion. For that purpose it seemed to me most desirable not to secure that everybody should come who, I knew, took one precise view for example, as to the question whether the Church of England is merely two provinces of the Western Church. What in the world is the use of coming here to discuss that if you carefully keep out of the Conference everybody you know takes the side of that particular question which you happen to think wrong? Therefore it seems to me, as this Conference was definitely arranged for the purpose of discussion and not for the purpose of securing a body which would be homogeneous, there would be grave risk of danger if resolutions were put.

Bishop Mylne: I wish to endorse very heartily

what has been said. My real object in drafting a resolution was only to secure that in the discussion that followed we should have some very clear issue before us if possible. The resolution had, I think, the merit which I am not quite sure I can attribute to the meeting as a Conference: it knew its own mind absolutely, and just for that reason it would not be one that we should adopt or that we ought to adopt.

The Dean of Christ Church: I think the best plan at the present moment would be to ask your opinions on the question whether we have a resolution or no resolution on the subject-matter of the discussion. (Cries of "No resolution.")

The Dean put the question to the meeting, and announced that there was a large majority against any resolution on the subject-matter of the discussion being put.

Dr. Gibson then proposed, "That the Committee be requested to continue in existence, to add to their number, and to print and publish the papers together with a report of the Conference, and call the members together again if in their opinion occasion for it should arise."

This was carried.

Votes of thanks were then passed to the Dean of Christ Church for presiding and to the authorities of Keble College for their hospitable reception, and the Conference ended with the Benediction pronounced by Bishop Mylne.

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